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**Political Reforms and the Process of Democratisation  
in Kuwait 1992-2013**

**Fatemah Ali Hassan Ali Al mazkuri**

**A Thesis Submitted For the Degree of**

**Doctor of Philosophy**

**School of Government and International Affairs, Durham University**

**2017**

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## **Abstract**

The study examined the four major political reforms undertaken in Kuwait post-liberation: the restoration of the National Assembly in 1992, the separation of posts of the Crown Prince from the post of the Prime Minister in 2003, women's suffrage in 2005 and the redefining of the electoral districts in 2006. These were analysed to establish whether these political reforms represented a process of democratisation or political liberalisation that ultimately consolidated the power of liberalised autocracy and was merely a regime survival strategy. To do that the study employed a theoretical framework that considers Robert Dahl's (1971) criteria: political participation, contestation and expansion of civil and political rights to assess whether Kuwait's political system is democratic or not, in conjunction with David Potter's scheme (1997) of the six pre-requisites that can promote and/or inhibit the process of democratisation: relation of state and political institutions, societal divisions, economic development, civil society, political culture and transnational/international engagement in order to identify the drivers and/or the obstacles to a democratic transition. This analysis contributes to the wider discussions on democratisation processes, furthering the understanding of the necessary conditions for democratisation, as well as what the nature of the obstacles to reform are in the Gulf region. The study concluded that the political reforms were not evidence of democratisation; rather they were part of Al Sabah's own survival strategy and are better understood in terms of a liberalising autocracy. Nonetheless, they brought to the surface the contradictions inherent in the political structures and processes and allowed a space for civil society movements to emerge, mobilise and attempt to counter the dominance of the state as well as coming forth as another significant factor (the first being the National Assembly) pushing for democratisation. This apparent increase in civil society activism gives hope that change is possible.

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## **List of Abbreviations**

AWAD	Arab Women's Development Society
CSO	Civil Society Organisation
DND	Dignity of a Nation Demonstration
GCC	Gulf Co-operation Council
ICM	Islamic Constitutional Movement
KNA	Kuwait National Assembly
MP	Member of the Parliament
MOSAL	Ministry of Social Affairs and Labour
MOC	Ministry of Communication
MOI	Ministry of Interior
NGO	Non-Governmental Organisation
OPEC	Organisation of Petroleum Exporting Countries
USD	United States Dollars
WCSS	Women's Cultural and Social Society

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## **Dedication**

This effort is dedicated to four people. To the memory of my father who lost his battle with his illness while I was in my first year; to my mother whose support and encouragement to further my education and better myself has been the source of my resilience; to my husband Abdullah Al Yousifi whose patience and support has made this process a lighter load to carry and last but not least to my children, Yousif and Adam, who are my pride, joy and happiness.



# **Chapter One: Introduction**

## **1.1 Research Problem**

This study examines the series of political reforms, which have been implemented in Kuwait during the period 1992-2013, questioning whether or not they constitute a process of democratisation. Claimed transitions towards democracy have been of particular interest in the Middle East, especially the Gulf monarchies due to the reality of persistent autocratic or authoritarian political systems. The Arab Spring of mid-December 2010 raised hopes that a real transition was possible, that the region was turning a corner and democracy was in sight. However the trajectory was not sustained and parts of the region instead descended into civil wars, chaos and violence. Tunisia stood alone in its ability to transition peacefully towards a more democratic system of government, with analysts suggesting that it had benefited from the relative strength of its civil society, a long history of constitutionalism, even a particular political culture (Murphy, 2011). In light of these events, it has become all the more urgent to understand what constitutes the necessary requisite conditions for democratisation, as well as the true nature of the obstacles to reform in the region.

Kuwait has been something of an exception within the Gulf region, having been the earliest monarchy to attempt to institutionalise political participation and create an open and relatively liberal system of government. Nonetheless, its political history has been complex and fraught, with the results of political institution-building falling far short of the expectations of its citizens. The study attempts to understand and assess why the anticipated outcomes of the reform process in the period post-liberation have failed to materialise and instead a form of political paralysis and a failure to substantively enhance the democratic credentials of the political system occurred. The study looks specifically at what have so far been the drivers of, and conversely, the impediments to, the democratic reform.

Kuwait, in its attempt to establish a liberal political system represents a unique experience among the Arab Gulf states. It had arguably gone further than any of its

neighbours; building a reputation as a modern, forward looking, participatory state. Being the only Gulf monarchy with a wholly elected National Assembly, a vocal Opposition, and with its citizens enjoying an unusual degree of freedom of speech and association, it offers possibly the most likely candidate for democratisation in the Gulf. At the onset of Al Sabah rule (1752), there was a “popular consensus of the rule of Al Sabah” with the relationship between the ruling family and the leading merchant families being one of cooperation and consensus (Abu Hakima, 1967). With the attempt to institutionalise political participation, starting with the first elected Legislative Council in 1938, politics became more contested. However, despite its vibrant political arena, it has proved unable to progress to the status of democratic state and, at times, has appeared to go backwards or to be stuck in some form of political paralysis. Today, Kuwait seems mired in vitriolic and antagonistic political gridlock. Whilst there has been significant scholarly study of the politics, economics and society of Kuwait by individuals such as Jill Crystal (1990, 1995) Mary Ann Tetreault (1992, 2011), Abdul Redha Asssiri (2007) and Ghanim Al Najjar (2001), a gap exists in terms of understanding why Kuwait has been unable to progress forward in its democratic journey.

This study considers Kuwait's recent political history (1992-2013), and specifically a set of four major reforms, which were anticipated to contribute to an invigoration of the democratisation process and which took place post-liberation. It seeks to examine the dynamics or drivers behind the reforms, the substance and impacts of the reforms in order to understand why they have not resulted in the outcomes anticipated and pushed for by Kuwaitis. Thus, it uses these reforms as windows into the underlying structures, processes and dynamics of the political system. The particular reforms were: the restoration of Kuwait's National Assembly in 1992 (after six and a half years of suspension); the separation of the post of the Crown Prince and the Prime Minister in 2003; the political enfranchisement of women in 2005 and the redefining of the electoral districts in 2006.

This period was extremely important in Kuwait's larger history. It came in the wake of a brutal Iraqi occupation and the subsequent liberation of Kuwait by an international coalition of forces led by the U.S. With Al Sabah under intense pressure in the aftermath of the liberation to restore the legitimacy of their rule, and



with an unprecedented level of international scrutiny and support, the time was opportune for a breakthrough in the democratisation process. The ruling family faced pressure from both important external partners and from Kuwaiti society, which was invigorated by their experiences of resistance.

## **1.2 Research Questions**

The main research question is therefore as follows: what are the drivers for and obstacles to democratisation in Kuwait. Specifically are there particular sets of conditions or factors that facilitate or hinder the process of democratisation and how do these manifest themselves in the study of democratisation in Kuwait. This will assist in evaluating the political reform process in Kuwait and the meaning of these political reforms in terms of indicating a process of democratisation or whether they can be better understood as a process of political liberalisation which serves instrumental regime interests in the consolidation of power (liberalised autocracy).

It is hoped that answering this question will not only contribute to our understanding of Kuwait's political system and its attempts of establishing a democratic system, but will also contribute to broader discussions and understandings of political reform process in the Middle East and the dynamics which propels them forward or holds them back from progressing to much needed democratisation.

## **1.3 Research Methodology**

The methodology of the study is based on a theory-driven consideration of democratisation using the deductive approach as the most suited to answer the main question of the research and achieve the aim of the study, while the qualitative method of research, choosing the research semi-structured interview, is used as the tool to collect primary data and information that enhances the analysis through engaging with key Kuwaiti research subjects that possess valuable knowledge and understanding of Kuwait's political and democratic narrative.

***Deductive approach*** This approach allows the use of a theoretical framework to structure the study of the political reforms in question, and the analysis of them. It examines the political reforms, firstly, by locating them within the longer historical trajectory of political development in Kuwait. This enables us to determine the degree to which Kuwait could claim a democratic political system by depicting a theoretical understanding of democracy drawn from Dahl (1971), and on an understanding of the necessary pre-requisites for democratisation developed by Potter (1997).

Dahl (1971) offers a set of three criteria by which we can assess whether a particular political system is democratic or not: political participation, contestation and recognition of civil and political rights. The assessment of the development of the Kuwaiti political system, and of the recent reforms which have been introduced, offered in this study, uses this set of criteria for determining progression towards democracy (or lack of it).

Potter (1997), meanwhile, synthesises the three main theoretical approaches to democratisation (modernisation, structuralism and transitional approaches) into a list of six common pre-requisites: institutions which provide a societal balance to the power of the state, societal divisions, economic development, a vibrant civil society, a favourable political culture and transnational/international engagement. The specific configuration or combination of these may differ in every individual case and there is no clear requirement for any one over another. Nonetheless, by focusing our attention of these six elements of the Kuwaiti political narrative, we can identify the drivers for, or obstacles to, a democratic transition.

The study also acknowledges, however, that there are significant bodies of research literature, which account specifically for the absence of democracy in the Middle East and the Gulf region. Three of these offer us specific insights and will be woven into our analysis when they help us to assess the Kuwaiti experience. Firstly, the concept of ‘rentierism’ sheds light on the particular pathway of economic and political development, which has resulted from the very high levels of oil wealth accruing to the state. ‘Rentierism’ enabled a distributive state to evade accountability to citizens whilst manipulating institutions and societal divisions to its own ends. It also created tensions between the economic development it enables

and political development, which it attempts to impede, thus opening up space for challenges from civil society movements and political Opposition.

The second body of region-specific literature concerns arguments as to whether civil society exists or functions fully within the region. The thesis rejects the cultural approach arguments that Islam, and Muslim society are culturally and normatively at odds with civil society, whilst acknowledging that the development of civil society in Kuwait has been to some extent impeded by a manipulative State, the particularities of the societal divisions, and the impact of distributive 'rentierism'.

The third body of region-specific literature, concerns the alternative understanding of political reform processes in the Middle East offered by researchers such as Rex Brynen *et al.* (1995), Holger Albrecht and Oliver Schlumberger (2004), Bahgat Korany *et al.* (1998), Simon Bromley (1997) and Daniel Brumberg (2002, 2003). They argue that regimes have introduced political reforms, which offer a controlled degree of liberalisation in the political and economic realms, not in order to genuinely advance democracy (participation, contestation and civil and political rights) but rather to broaden the coalitions, which endorse their autocratic rule, and to offset public discontent at the inequalities created by economic liberalisation. The reforms amount not to democratisation but rather to 'liberalised autocracy'. Whilst this theoretical proposition does not form the framework for the analysis, it does assist in understanding some of the results of the study.

Because the reforms which constitute the object of study are institutional reforms, the focus of the study is necessarily primarily on the first of Potter's (1997) criteria, that is the institutional arrangements which structure the balance of power between the State and society. Each reform is examined in terms of the particular imperatives on Al Sabah ruling family that drive its introduction, the role played by other actors such as the National Assembly, tribal or religious groups, social movements and civil society. The specific political processes through which reforms were proposed, enacted and received are discussed, as are the outcomes, which are assessed in terms of their overall contribution to enhancing participation, contest action and/or civil and political rights.

However, the analytical narrative offered for each reform process and outcome is infused with consideration of the other five criteria, where relevant. Moreover, the nature and role of civil society receives additional and specific attention as the study examines both top-down reforms devised by the regime at its own initiative, and those reforms, which were forced upon the regime by bottom-up expressions such as the Orange Movement, which pushed for the electoral reforms in 2006.

In conducting the study, the researcher drew, where possible, on secondary data and information such as governmental official publications and governmental websites, as well as scholarly literature. It also drew on primary data, collected by using the research interview, to enhance the overall analysis and overcome some of the constraints of the available secondary data.

***Research Interview*** Interviews were conducted by the researcher in Kuwait during January-April 2013. These were used in order to mitigate some of the aforementioned difficulties in collecting data, as well as a tool to engage with key Kuwaitis on their views and perspectives on the political reform process. The research utilised purposeful sampling, as it is the most effective tool in selecting the research participants by enabling the researcher to interview participants who can inform and contribute to understanding the research topic (Creswell, 2013). From among the various techniques used to determine the research sample (convenience sampling, maximum exposure sampling, critical case and snowball sampling), the snowball sampling is used to determine the research participants. This is based on referrals from the initial small number of participants to generate additional subjects who are familiar with the research topic and have the expertise and knowledge to enhance the analysis (Bryman, 2012).

The sample consisted of 25 subjects with a wide range of backgrounds that have been involved in the politics of Kuwait during the period of study. They fell into four categories: government officials, CSOs leaders and members, academics and ex-members of the National Assembly (see Appendix 1). A number of the subjects of the sample (13) preferred to be anonymous due to the sensitivity of the subject matter, while the rest consented to be referenced by name. The anonymous subjects are referred to in the study, in numbers, from 1 to 13.

The interview protocol, the actual tool for gathering the primary data, included one type of question, the open ended question, allowing the research participants to give full answers with as much explanation as they chose. The process of data analysis involved analysing the transcripts and the notes, identifying the themes within the data and gathering examples of these themes. The resultant data provided personal views and perspectives from this wide range of participants to corroborate the interpretation of events in this study as well as inform the assessment of whether these reforms maintain a liberalised autocracy rather than a genuine trajectory toward a transition to democratisation.

***Research constraints*** the researcher faced a number of constraints while conducting the study, which are divided into three sets. The first concerns the difficulties in the collection of data and information. Secondary sources covering the whole period of study were very limited and included inadequate information. In addition, most secondary sources were relatively short, being either articles or chapters, with few scholars having written in depth or length about the political reforms. Obtaining official information and data from the National Assembly was difficult without the use of a special social network. Access to some governmental websites was available, but the reliability and consistency of the data was limited. In particular, data on the elections and assemblies' interpellations differed between the Ministry of Interior (MOI) and the National Assembly, thus making the process of collecting reliable data time consuming. In the end the researcher opted to rely on the MOI for the data on political participation in the elections of the national assemblies and on the Kuwaiti National Assembly's sources for the data on the interpellations.

The second set of constraints concerns the sensitivity of the topic of the research. Kuwait, despite having a vocal National Assembly and a relatively more relaxed attitude towards freedom of speech, expression and press in comparison with the rest of the Gulf States, writing on the politics of Kuwait in general and the topic of democratisation in particular is still considered a taboo for a Kuwaiti citizen. This sensitivity of the topic constrained the study on two levels. The first level manifested itself by the limited number of interviewees willing to be recorded and named in the study, hence their treatment as anonymous and their interviews were

not taped; the researcher took notes. In addition, there were a number of people that the researcher approached and were unwilling to be interviewed despite guaranteeing anonymity. The second level concerns the researcher's self imposed restrictions due to the sensitivity of the topic as certain issues regarding the ruling family were avoided as a precaution to being labelled "anti-regime". Also due to the tense and volatile political situation in Kuwait during 2012-13, with the intensification of demonstrations and protests against the ruling family, the period of the study did not go beyond 2013. The researcher opted to use Kuwait's local newspapers for some of the sensitive points discussed as a protection tactic. Moreover, the researcher needed to create a distance to the subject matter especially when discussing women struggle to gain the right to vote (the researcher being a woman) and more importantly not allowing the researcher positionality on the issues and events investigated to affect the analysis and the outcomes of the study. This distancing was not an easy task but essential to eliminate bias that can undermine the quality of the research.

The third set includes certain organisational constraints. Some of the people approached for the research were unwilling to engage with a woman on the politics of Kuwait while others refused on the basis of the researcher being a postgraduate student. Setting the time and place of the interviews was time consuming and the interviewees chose their preferable time and place to conduct the interviews.

#### **1.4 Main Argument**

The study argues that the political reforms studied do not, overall, constitute significant progress towards democracy. Kuwait on one level fulfilled two of Dahl's (1971) interpretations of what democracy means: participation and contestation. Nonetheless, these existed in a restricted form (the electoral base remains very small despite its doubling by given women political rights in 2005) and heavily controlled (manipulations of election law as well as unprecedented levels of dissolutions of the National Assembly) leading to what could be described as a meaningless

practice of democracy as ultimate political decision making remains in the hands of the ruling Al Sabah family. As for the third element of Dahl (1971), the period witnessed an increased suppression and repression of civil and political liberties although this was to some degree countered by the increased activism of civil society. Subsequently this period can be described as an attempt to institutionalise democratic practices but ended up augmenting an authoritarian political system.

How can we account for this lack of progress? Potter's (1997) six criteria offer us a rather mixed explanation. The thesis demonstrates that the reforms have not substantively altered the institutional balance of power. The Amir and Al Sabah family retain their predominant position over the political system. The National Assembly is no more able to hold them to meaningful account than before the reforms, although the National Assembly remains a site for vocal opposition.

During the period in question, the regime has continued to use oil revenues to exert its 'rentier state' model of economic development. Whilst this ensures a high standard of living, an ever-more educated and internationally connected population who demonstrate dissatisfaction with both the political system and its primary agents, it also creates economic and political interests tied to the regime and helps the regime manipulate social and political forces to its advantage. The 'rentier state' model is just one example of the contradictions inherent in Kuwait's current political development. Relatedly, the political culture exhibits characteristics, which are both supportive of, and obstructive to, democratisation. For example, the Amir has been successful in exploiting tribal, religious and other identities and cultural preferences in his efforts to 'divide and rule', and even women's movement remains constrained by traditional, exclusivist cultures and divided identities.

At the same time, young people have demonstrated evolving 'global' identities and norms, which connect with more liberal societal groups demanding greater freedom and democratic progress. Kuwaiti society certainly exhibits the societal divisions which Potter (1997) suggests are a requisite for demands for democracy, but the Amir has been successful in manipulating them through patronage, rent distribution, and alliance building such that they more often obstruct democratic progress than assist it. Civil society is constrained by the state's legal arrangements and the exclusivist traditions and practices, yet it has shown itself willing and

capable of challenging Al Sabah rule through protests, demonstrations, coalitions and lobbying, with some success. International engagements or pressures feature less than might have been expected. After an all-too-brief moment of international pressure in favour of democratisation post- liberation of Kuwait, the regime took little account of external pressure. The reforms subsequent to the re-establishment of the National Assembly were all responses to specific national political debates and crises.

In conclusion, the study finds that the political reforms initiated in Kuwait since 1992 cannot be read as evidence of democratisation. Rather, the study suggests that they were implemented by Al Sabah ruling family even when responding to bottom-up pressure from civil society, as part of its own survival strategy. They are better understood as representing liberalising autocracy. However, that is not to say that other processes and undercurrents are not working in support of democratisation. Society is not static but constantly evolving, responding to the opportunities afforded by economic development, education, global communications, international exposure and domestic political debate.

The study, therefore, makes a contribution to wider discussions of democratisation processes by indicating that they can be multi-layered, where progress in one dimension (in this case, the evolution of civil society and social expectations) can be offset by impediments at another level (in this case, in the unwillingness of the regime to allow adjustments in the institutional balance of power towards society). Concerning societal divisions, which Potter (1997) deemed necessary for the democratisation process, they can operate both in favour of democracy and against it, simultaneously. Democratisation is then a complex process where alterations in power structures and institutional arrangements towards an expansion in the realms of participation and contestation and civil and political liberties can be very challenging. The study concludes, in the case of Kuwait, that little substantive progress is being made towards democratisation as Al Sabah ruling family introduced political reforms as part of a survival strategy while reinvigorating authoritarianism and the oppression of the political opposition and civil society.



## 1.5 Chapter Outline

The following, *Chapter Two*, sets out the theoretical framework for the study, developing the definition of democracy to be used, from Dahl (1971), and examining the main theoretical approaches to democratisation (modernisation, structural and transitional approaches). From these, it introduces Potter's (1997) scheme of six pre-requisites for democratisation, which can enable us to assess the status of Kuwait's political environment at any given time. The chapter then puts these within the context of research on democratisation (or its absence) in the Middle East, specifically referring to theories of the 'rentier' state, Arab and Islamic civil society and liberalising autocracy.

*Chapter Three* provides the democratic narrative and analysis of the state-society institutional relationship and power structures and processes prior to 1990. The discussion focuses on the manner of consolidation of Al Sabah rule through looking at the use of tradition, patriarchal and segmented identities and loyalties as the base of their rule, in addition to the increased role played by oil wealth. The chapter then discusses the two different formations of political participation; the mainly consultative phase of political participation (pre-independence 1921-1939) and the parliamentary phase (post-independence 1961-1990) that characterised the development of Kuwait's political system. This analysis enables an assessment of the status of Kuwait's political system against the criteria of democracy (participation, contestation and political and civil rights) and the role of Potter's (1997) six prerequisites in this political account on the eve of the Iraqi invasion of 1990.

*Chapter Four* provides an analysis of the first two political reforms; the restoration of the National Assembly in 1992 and the separation of the posts of Crown Prince and Prime Minister in 2003 and the impact on the process and/or conditions of the transition to democracy. The chapter begins by considering the overall political environment, following the Iraqi invasion of Kuwait in 1990, and illustrates how bottom up pressures exerted by the Opposition, combined with the pressure exercised by the U.S. led to the first reform. The chapter then moves to discuss the four national assemblies elected during the period 1992-2003 and assessing them

against Dahl's (1971) criteria of democracy. This is followed by a discussion of circumstances that led to the second reform and its importance to the relation between the National Assembly and the government. Finally, the chapter evaluates if any changes occurred in the balance of power between the state and the National Assembly that might indicate a process of democratisation and/or the lack of it.

**Chapter Five** provides an analysis of the second tranche of political reforms; the enfranchisement of women in 2005 and the redefining of the boundaries of electoral districts in 2006. The chapter shows that the civil society remains constrained by the state, lacking autonomy and subject to close legal scrutiny. However, the evidence also suggests that civil society activism (women organisations and the youth Orange Movement) have become increasingly adaptive and responsive to the political climate and have been able to exert considerable pressure on the ruling family to affect these reforms.

**Chapter Six** examines the period 2006-2013 and indicates a deepening of the democracy crisis in Kuwait, manifested by the reassertion of the authoritarian tendencies of Al Sabah rule and the significant deterioration in the relation between state and society, causing gridlock and impasse. Al Sabah's continued reluctance to share power and adhere to the democratic objectives of the reform process was met by increased activism on the part of civil society, led by the youth in an alliance with the reformist elements in the National Assembly. This turbulent period suggests that the four reforms, although they have been ineffective in changing the balance of power between the National Assembly and the Amir, have opened the space for an enhanced role for civil society; mobilising and protesting the Amir's top-down measures and demanding more democracy, more rights, more freedoms in a manner that is changing the political dynamics of state-society. The overall discussion continues to be referenced by Potter's (1997) scheme and Dahl's (1971) postulations.

**Chapter Seven** The conclusion addresses the theoretical implications of the analysis and suggests that despite the limited impact of these four political reforms on a trajectory towards democratisation, they have brought to the surface the contradictions inherent in the political structures and political process of Kuwait and allowed a space for civil society movements to emerge, mobilise and attempt

to counter the dominance of the state as well as emerge as another significant factor (the first being the National Assembly) pushing for democratisation. These contradictions will be assessed in terms of Dahl's (1971) postulation of the meaning of democracy and Potter's (1997) drivers/hindrances to democratisation.

## **Chapter Two: Literature Review and the Theoretical Framework of the Study**

### **2.1 Introduction**

The chapter reviews the literature associated with the meaning of democracy and the theoretical explanations of democratisation that will allow the study to address its main task of evaluating the political reform process in Kuwait by providing an understanding of the drivers for and/ or obstacles to democratisation and how these manifest themselves in institutional structures and political processes. To do this, the chapter is structured around three main sections.

The first section starts off by establishing what is meant by ‘democracy’, the end condition to which a democratisation process leads to, and then concludes by privileging the definition of Dahl (1971), which offers three key criteria of participation, contestation and a minimum level of civil and political liberties as paramount to defining and exercising democracy. These elements are broad and flexible enough to render themselves useful analytical tools in a variety of circumstances and situations concerned with assessing the process of democratisation.

The second section then considers the three major Western theoretical approaches explaining democratisation: modernisation, structural and transitional approaches by focusing on their main propositions and limitations. This will be followed by Potter’s (1997) theoretical scheme that synthesises the main preconditions that the above three approaches have in common. He offers six explanatory conditions for ascertaining what instigates and drives the process of democratisation. These are identified as economic development; the societal division (or the relations between different social groups within society); the relationship between state and political institutions (or the structure of power within and between the state and the political

institutions); the contribution of civil society in exerting “pressure from below”; political culture or the compatibility of political culture with democratic norms and values; and finally the impact of international and transnational engagements.

The third section focuses on reviewing the regional theoretical explanations for the general absence of democracy in the Middle East. The discussion examines the relative strengths of the cultural and the structural explanations with a special focus on the concept of the ‘rentier state’, as it has been the dominant approach to the study of oil rich states. This is followed by a consideration of some of the proposed mechanisms whereby democratisation may yet occur, through pressure by civil society or the voluntary liberalisation of the autocratic regimes. The work of scholars such as Daniel Brumbergh (2002) and Holger Albrecht and Oliver Schlumberger (2004) emphasising political liberalisation and regime survival are of significance to this study as it will assist in drawing the final conclusion of the study in terms of whether these political reforms have pushed Kuwait further towards democratisation as seen through the prism of Potter (1997) and Dahl (1971), or were they simply regime survival tactics and strategy.

In summary, in order to determine the nature and impact of the political reforms as a process of democratisation or regime survival, Dahl’s (1971) definition of democracy is adopted as the signifier in this process, while Potter’s (1997) six conditions/processes are the factors against which the political environment in Kuwait is assessed. In specific, if it has been conducive to democracy or detrimental to triggering it and/or is it a more complex situation with the presence of both elements and effects, those that facilitate and others that hinder the process. That will lead to the last determination of the study of whether the process was geared more towards democracy or regime survival.

## **2.2 Defining Democracy**

Despite the extensive use of the term, the concept of democracy has proven difficult to define precisely. As yet, no consensus exists on its definition (Ball and Dagger, 1991). As Georg Sørensen (1998,54) observes, democracy has a “dynamic nature” that enables it to grow and develop to incorporate new aspects and dimensions when

the social context or the analyst's perception of it changes. The concept of democracy thus, has evolved to include a variety of values, aims and ideals, changing both the theory and practice of democracy. This was a necessary development, as what David Held defines as "classical direct democracy" would not have been a viable way of governing in modern and complex large nation-states (1987: 149). More complex interpretations of 'democracy' emerged in the eighteenth century, first in the USA and then in the UK and France. During this period, a new school of thought developed specifically the concept of liberal democracy, in opposition to the medieval hierarchical institutions and the despotic monarchies, particularly suited to the emerging Western industrial capitalist societies. Yet, while this conception of democracy has enjoyed preponderance for more than two centuries, it remains, as Birch indicates, plagued by the "vagueness of the terms commonly used to define a democratic political system, the difficulty of clarifying these terms in a value-free way, and the array of partially incompatible justifications for democracy advanced by democratic theorists" (Birch, 2001: 73).

This Western liberal interpretation of democracy claims to draw its conceptual roots from basic elements that constituted the political order of ancient Athens. "Democracy" is a term of Greek origin that comprises and relates the *demos* (people) to the *kratos* (rule or authority), interpreted as 'rule by the people' (Lane & Errson, 2005). For the ancient Greeks, Athens was the largest *polis* or city-state and was thought to provide the best example of such a system of governance. Henry Mayo (1960), Anthony Birch (2001), Terrence Ball and Richard Dagger (1991) and Giovanni Sartori (1987) argue that the Greeks provided the concept but not a complete model for democracy, for as Birch (2001) observes, the Greeks had little knowledge of the rights of the individual; something regarded today as a major element of modern political democracy. The Greeks, therefore, only offered the basic principles of democracy, which Birch (2001) claims were different from the system of "representative government" found in the modern Western world. Still, Held states that the existence and development of democracy in Athens may be regarded as "the source of inspiration" for modern political democracy in the West, arguing that modern Western systems are shaped by the fundamental political ideals and values of Athenian democracy, such as equality, liberty, and respect for the law and justice (1987:15).

In an attempt to clarify and overcome the difficulty associated with the lack of consensus on how best to define democracy David Collier and Steven Levitsky (1997) divided the literature largely into two perspectives, the substantive and the procedural. The substantive, often labelled as the “maximalist” approach, tends to look at democracy from a broad perspective deriving its definition from Alexis-Charles-Henri Clérel de Tocqueville’s idea of social democracy (1840). It regards democracy as not just a system of government or political system, but also as a specific social and economic system (Sørensen, 1993). Charles Tilly observes that theorists writing in the Tocquevillian tradition tend to focus on the living and political conditions that a regime promotes, such as welfare, individual freedom, security, parity of status, public deliberation and peaceful conflict resolution (Tilly, 2007).

In this vein, Held (1987) combines the insights of liberal democracy and Marxist traditions and proposes that democracy is not only a government that has been fairly elected, but also must be one that acts in the interests of its electorate. Like others advocating this broad conceptualisation of democracy, Held includes all aspects of political, social and economic life in the definition. He thus suggests that “Individuals should be free and equal in the determination of their own lives [...] they should enjoy equal rights and accordingly equal obligations in the specifications of the framework which generates and limits the opportunities available to them, so long as they do not deploy this framework to negate the rights of others” (Sørensen, 1993:10). Held’s definition requires the accountability of the state and a democratic reordering of civil society. Tocqueville suggests that civil society is the bedrock of a healthy democracy and that members of civil society are the best actors to promote democracy in countries that lack it (in Enclanation, 1999: 9). Thus, the maximalist approach extends the arena of observation to include all aspects of society as well as of the political elite and institutions in determining the democratic (or not) nature of the state.

The second, alternative, definition has a narrower perspective and is known as “minimalist” and tends to be more procedural - focusing on democratic procedures such as elections and electoral rules - and is therefore also referred to as the

“electoral democracy” approach (Diamond, 1999). Philip Schumpeter is considered to be the founder of the procedural definition of democracy (Barro, 1999), describing the concept as a political method and as “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote” (Schumpeter, 1959:269). Schumpeter suggests that the main elements of democracy are political parties, the autonomy of the elected political elite from the state, the existence of opposition and the formation of civil society: in essence, contestation and participation (Schumpeter, 1959: 270). According to this perspective, then, democracy is a procedural system whereby politics and political decision-making are institutionalised through free and fair elections, with different political elites competing for power. This type of procedural definition focuses on the criteria of competition and is regarded by some scholars such as Seymour Martin Lipset (1959), as the easiest way to distinguish democratic regimes from non-democratic ones. It acknowledges the need for a level of freedom of the press, speech, organisation and assembly in order for competition and participation to be meaningful, but does not incorporate these criteria into the actual measure of democracy (Diamond, 1999).

Midway between the minimalist and maximalist stances one finds Dahl’s (1971) definition of democracy. In coming up with what is, in effect, a definition of “liberal democracy,” Dahl (1971) builds on Schumpeter’s (1959) work to define democracy as a “unique process of making collective and binding decisions” and “a process which produces desirable solutions”, as the main characteristic of a democratic government is its responsiveness to the preferences of its citizens (Dahl, 1989:5). This responsiveness must provide the citizens with the opportunity to: (1) formulate their preferences; (2) signify these preferences to their fellow citizens and to the government by individual and collective action; and (3) have their preferences weighed equally in the conduct of the government with no discrimination because of the content or source of the preference. These three opportunities are dependent on eight institutional guarantees; (1) the freedom to form and join organisations; (2) freedom of expression; (3) the right to vote; (4) the right of political leaders to compete for (electoral) support (5) alternative sources of information; (6) eligibility for public office; (7) free and fair elections; and (8) institutions for making



government policies dependent on votes or other expressions of preference (Dahl, 1971:3).

Thus, at its core, Dahl's (1971) definition of democracy embraces three main dimensions: participation, which refers to the right of adult people to participate; contestation, which refers to organised competition through fair and free elections, and a level of political and civil liberties, such as freedom of expression, the press, worship, and the freedom to form and join organisations (Diamond, 2003; Sørensen, 1993:12). These dimensions are considered by scholars such as Tatu Vanhanen (2000) to be standard categories for distinguishing democratic regimes from non-democratic regimes. Yet these dimensions cannot be found in each and every political system. For instance, there is room for political systems to adopt a democratic discourse without translating that narrative into substantive political change. Furthermore, some states may meet these conditions to different degrees, ranging from being fully democratic, non-democratic, or simply authoritarian. For example, in many countries elections are carried out without seriously affecting the quality of democracy or leading to any political or socio-economic development. A regime may include an official opposition and thus meet that criterion, but that opposition may be in effect powerless and only able to operate within the sanction of the state. Nonetheless, by extending consideration beyond Schumpeter's electoral competition alone, Dahl (1971) does offer a way to assess the democratic trajectory of political reforms; i.e., testing whether they are expanding the realms of participation, contestation and civil and political liberties. Most studies attempting to measure democracy have used Dahl's (1971) conception as a starting point (Sørensen, 1993:16). This study follows that tradition.

To summarise, theorists have offered divergent definitions of democracy – the presumed end condition of democratisation. The “minimalist” conception provides too narrow a set of criteria against which to analyse forms of government since it focuses only on the electoral processes and institutions and not the outcomes of policy-making. This is particularly problematic in countries where electoral institutions and processes are new, weak, run parallel to alternative modes of political decision-making and/or contestation, and where the outcomes of elections are not themselves “democratic”. The “substantive” or “maximalist” definitions are

equally problematic since they focus on a broad set of embedded social, economic and political criteria which assume the process of democratisation has progressed a very long way towards the achievement of actual democracy.

In the end, Dahl's (1971) conception may be considered more useful for the purposes of this study. It provides a broad enough set of criteria for identifying what elements a transition should encompass in order to move towards the end state of democracy; at the same time it does not assume that social and economic reorganisation around those criteria has yet occurred. Specifically, democracy is understood in this study to mean a political system that encompasses participation, contestation and civil and political rights, so that democratisation becomes a trajectory of political reform towards those objectives. This definition alone is not sufficient to underpin the theoretical frame of the study. Subsequently, there is a need to examine the various theoretical explanations of what triggers or inhibits the development of democracy in order to discern the most appropriate and useful explanation to this study.

### **2.3 Western Theoretical Approaches to the Study of Democratisation**

Just as there is a lack of consensus on definitions of democracy, so too there has been a failure to agree on the requirements for democratisation among scholars (Vanhanen & Pridham, 2000). However, there are three predominant theoretical approaches to the study of democratisation: the modernisation, the structural and the transitional. As the discussion shows, these three approaches share common factors and considerations that predicate the progress and presence of democracy. Potter (1997) has been able to synthesise these three approaches by identifying six common considerations among them and suggesting a fourth approach that elaborates on these six factors or preconditions necessary for democratisation to take place and to explain why democratisation occurs. The discussion in the next section gives a brief overview of these three approaches and then moves to focus on the fourth approach, the synthesis of the three as suggested by Potter (1997). The fourth approach is the core theoretical scheme adopted by this study.

### **2.3.1 The Modernisation Approach**

The work of Lipset forms the basis of the modernisation approach to democratisation (Sørensen, 1998). The main question it posed, “how traditional societies could achieve the same economic, social welfare systems and democracy as modern societies” (Doorenspleet, 2005: 55). To answer that question, Lipset employed a quantitative method to establish a positive universal correlation between economic development and democracy (Potter, 1997). The core of the theory emphasises a number of social and economic variables or requisites, either associated with existing liberal democracies or necessary for successful democratisation. His conclusion was that “economic development involving industrialisation, urbanisation, high educational standards, and a steady increase in the overall wealth of the society is a basic condition sustaining democracy, it is a mark of efficiency of the total system” (Lipset 1959:76). Lipset added, “The stability of a given democratic system depends not only on the system’s efficiency in modernisation, but also upon the effectiveness and legitimacy of the political systems” (Arat, 1988:22).

In his cross-national quantitative study, Lipset indicated that “no matter what index is used for economic development, such as wealth, education, industrialisation, or urbanisation, those states tend to be more democratic than authoritarian” and claimed that more democratic states have a higher level of economic development (in Doorenspleet, 2005:58). In his view, economic development and wealth change the structure of the class struggle, in that wealth alters the social conditions of workers and moderates the lower classes, making them tolerant and less exposed to extreme ideologies, which in turn decreases conflict. For Lipset, wealth also affects the political role of the middle class, enabling them to “play a mitigating role in moderating conflict as it is deployed to reward moderate and democratic parties and penalise extremist groups” (Doorenspleet, 2005:58).

Lipset’s claims were, however, rejected by other scholars. For example, in his study of Latin America, Guillermo O’Donnell (1986) argued that, instead of democracy, a high level of modernisation leads to authoritarianism. O’Donnell observed that the industrial modernisation of the 1960s and 1970s did not meet the needs of the

majority in those countries where it happened; to pursue this model in the face of popular resistance, the ruling elite therefore needed an authoritarian system. The first modernisation theorists, including Lipset's, were also criticised for their methodology, their determination to produce a universal model of the political system, and neglect the impact of external and intervening factors, such as "colonialism, foreign domain, control of multinational corporations over developing countries, and the unequal pattern of trade between them and the West, and finally the nature of the international system" (Doorenspleet, 2005:61).

The newer generation of modernisation theorists of the 1970s, such as Samuel Huntington and Larry Diamond, consequently, took those issues into consideration. They did not adopt the idea of a universal model for political systems, but instead suggested that the factors that trigger the transition to democratisation differ over time and in each state. Furthermore, new modernisation theorists do not equate modernisation with Westernisation; they do not assume a unidirectional linear path of development and they take into account the impact of historical developments on each state studied (Doorenspleet, 2005:61). They also considered other factors besides economic development, stating that there is not one factor which is sufficient when explaining democratisation, such as the impact of intervening variables; for example class structure and how international factors affect democracy, arguing that democratisation in authoritarian states is provoked and aided by new means of international communication and by democracy in neighbouring states (Doorenspleet, 2005:62). They further reinterpreted Lipset's original ideas to suggest that when the people of a state are more developed, they tend to be more democratic, hence, the measurement of development must be shifted from the development of the state measured by GNP, to the development of its citizens, measured by education (Ibid.).

The modernisation approach, then, highlights the importance of both economic and educational development in providing the conditions for democratisation. But it does not explain why some societies become democratic while others do not. Furthermore, it assumes that modernisation inevitably leads in a casual chain that starts with industrialisation and includes elements such as education to create conditions for democracy. Some highly industrialised societies such as China and Russia are far from being democratic.

### 2.3.2 The Structural Approach

This approach was first established by Barrington Moore (1966:418) who argued that political development is a long class struggle to replace the rulers and the rules of the political system by expanding participation in rule-making and improving social and economic equality, and that the emergence of the bourgeoisie is key “No bourgeoisie, no democracy”. However, Moore also suggested that there are no particular patterns for the “starting point” that determines the process of democratisation. Rather, structural theorists emphasise and prioritise specific historical conditions whilst acknowledging the influence of other conditions that promote democratisation, such as economic and technological development (Ibid., 427). Moore was criticised for being “economically deterministic and neglecting non-economic factors” (Doorenspleet, 2005:86).

Dietrich Rueshemeyer *et al.* (1992) developed Moore’s work to include non-economic explanations of democratisation, including the role of international and transnational relationships in promoting political development. Their study on three regions (Europe, Latin and Central America and the Caribbean) showed that the three clusters of powers (class power, state power and transitional power) “are of importance for democratic development” (Doorenspleet, 2005:76). They also regarded class as having a central role in the struggle for democracy, emphasising the role of an emerging urban working class. The structural approach is itself about the search for power in creating the conditions for democratisation, notably a rebalancing of power with the rise of new socio-economic classes.

Essentially their core idea is that economic development is principally relevant to democratisation not because it creates wealth and increases the complexity of society but because it changes the structure of power (Potter, 1997: 18–2). Thus the approach focuses on the long-term process of historical change, arguing that democracy is a matter of power and that over time economic, social and political structural changes gradually lead to different conditions which may offer political development and democratisation, or which may rather constrain democratisation and political development (Potter, 1997:19). Although the work of Rueshemeyer *et al.* (1992) addresses the criticisms levied at Moore, the combination of two different

methodological approaches (qualitative historical and quantitative cross-national studies) has led at times to contradictory results and impacted on the appeal and significance of the approach.

### **2.3.3 The Transitional Approach**

Dankwart Rustow (1970) and Guillermo O'Donnell and Philip Schmitter (1986) established the transition theory, as a critique of Lipset's modernisation theory, by providing an overview of the complexities of the transition process to democratisation in developing countries, showing how it evolves with different factors and more than one actor on the movement from non-democratic rule to democratic rule (Potter, 1997). The core idea is that democratisation is a process that develops through different phases: preparation, decision-making, and habituation or consolidation (Rustow, 1970: 345–358). Rustow argues that “one must not assume that the transition to democracy is a world-wide uniform process, that it always involves the same social classes, the same types of political issues, or even the same methods of solution; there are ‘many roads to democracy’” (Ibid., 350).

Rustow's (1970) transition model consists of four phases. Firstly, there must be national unity, referred to as the “background condition”; followed by the “preparatory phase”—the breakdown of the non-democratic regime (probably as the result of a crisis)—and the “decision phase”, that is, the initial establishment of democratisation and lastly the “consolidation” or “habituation” phase, with democracy now ingrained in the political culture (cited in Sørensen, 1998:40). A new regime will technically be a democracy following free elections but will not be fully democratic; the regime then has to be consolidated, which happens when all political forces regard democracy as ‘the only game in town’ (Ibid., 39).

Upon examining what triggers democratisation transitions, O'Donnell and Schmitter suggest that a precursor to a democratisation can be discerned when “an authoritarian regime begins to modify its own rules in order to provide more secure guarantees for the rights of individuals and groups” (O'Donnell and Schmitter,

1986:6). They show, for example, that some Latin American countries started with what can be described as a “period of liberalisation” in which the authoritarian regime offered some civil and political rights to its people, thus creating a space for “oppositional activity” or “public competition”, albeit within a framework tightly controlled by that authoritarian regime (Ibid.). Developments in some Eastern European countries, such as Hungary, Poland and the Soviet Union in the 1980s, also illustrate the process of democratisation as beginning with liberalisation instigated by the existing authoritarian regime (Sørensen, 1998:42).

The transition approach looks for the long-lasting effects of change, rather than just the immediate or technical impact, i.e. whether the changes introduced are embedding democracy and creating real change of benefit to that society. The aftermath of the transition — the “habituation phase” or the “consolidation phase” — looks at how political reform leads to democracy and the concept becomes deeply internalised in the social, institutional and even the psychological life of a country (Linz and Stepan, 1996:5; Sørensen, 1998:45). It has been suggested by Juan Linz and Alfred Stepan (1996) that “a democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this *de facto* government has the authority to generate new policies, and when the executive, legislative, and judicial power generated by the new democracy does not have to share power with other bodies *de jure*” (Linz and Stepan, 1996:3). Rustow (1970) argues that there are no identical issues or forces behind any existing democracies and the institutional outcomes of any struggle always differ and can never be identical.

In summary, the discussion above on democratisation implies that no one theory can be expected to define democratisation and all its circumstances in a way that is relevant to every case. Yet, each theory provides some valid insights for this study, and there is considerable overlap between them. One way out of this theoretical conundrum is found in the work of Potter (1997), who proposes as mentioned earlier, a synthesis of what he considers the most useful aspects of all three theories, uniting them in one scheme that emphasises six explanatory prerequisites for

democratisation. The aim of the next section is to detail this scheme and evaluate its usefulness to this study.

#### **2.3.4 Potter's Theoretical Synthesis**

Potter (1997) overcomes the limitations of each of the aforementioned theoretical approaches to democratisation by identifying six common factors or conditions that can explain the transition to democratisation and why democratisation occurs in one country and not others, as found in the previous three theoretical approaches. He defines the “explanatory factor” as “a condition, structure, or process that comparative analysis suggests is associated with, or causes, democratisation” (1997:22). These factors are: economic development; societal divisions; state and political institutions’ relationship; civil society; political culture and finally transnational and international engagement.

#### **1. Economic Development**

In all three theoretical approaches, there is the assumption of a highly significant positive correlation between the degree of economic development and democratisation. For modernisation theorists Moore (1966) and Rueshemeyer *et al.*(1992) for example, “economic development is a capitalist development that fundamentally structures the historical route that countries take towards liberal democracy or other political forms” (Potter, 1997:24). These theorists employ “intervening variables” that mediate between economic development and democratisation in attempting to discover how economic development triggers democratisation (Potter, 1997:24), including, for example, the levels of education and urbanisation.

However, in practice and reality not all transitions to democracy originate from economic-development. As Moore suggests, it is not inevitable that a country with a developed economy becomes democratised, and structural theorists consider that the political output of economic development is neither clear nor uniform (in Potter, 1997:25). Although economic development and the free market foster democratic ideas, this development may also lead to the weakening of democracy or even to



the support of authoritarian rule (in Potter, 1997:25). Transition theory scholars such as O'Donnell conversely see acts of economic development as catalysts to the “competing elites busy crafting the democratic compromise” (in Potter, 1997:24). In some cases where countries enjoy high level of per capita income, such as Argentina, they have had many years of authoritarian rule before democratisation took place (Sørensen, 1993:25).

## **2. Societal Divisions**

Potter (1997) argues that social divisions are a prerequisite for democratisation. Under both the modernisation and structural approaches, “economic and capitalist development produces class divisions in society based on wealth and life-chances” (Potter, 1997:25). Socio-economic development, according to Lipset (1986), leads to the emergence of a middle class who initially have pro-democratic values, while for Rueshemeyer *et al.* (1992), capitalist development results in the emergence of an urban working class which presses for a transition to democratisation.

Likewise, transition theory suggests that class and group struggles are essential in attaining democratisation; however, various social and economic classes in different countries vary in their stance towards it (Potter, 1997). Moreover, this theoretical approach argues that the necessary divisions, which trigger democratisation, can be on the basis of “ethnicity, race, tribe, gender, language, religion, or other cultural criteria” rather than necessarily class (Potter, 1997:26). However, they also collectively stress that a shared “national identity” is important in creating a sense of the “political identity” which defines the boundaries of the political community (nation-state) within which new political arrangements are sought, although each approach places different values on its impact and role (Potter, 1997:26).

## **3. The State and Political Institutions Relationships**

According to Potter (1997), the extent of the state's power relative to society and its institutions is a factor in all three theoretical approaches. Democratisation equates with a change in the balance of power between the state and independent

classes, represented through institutions in favour of the latter. Modernisation theory scholars such as Larry Diamond (1999) argue that where the state is able to exert dominance over society, it is unlikely that democratisation will occur; case studies of countries in Africa and Asia indicate that when the state controls most of the economic, political and social institutions, individuals become dependent on the state and become risk averse when it comes to pushing for democratic change (Sørensen, 1998).

Potter (1997) stresses that the concepts of state and class are very “generalised and abstract” and that they cannot offer an understanding of the “variation” in the democratisation experiences in different countries. He argues, therefore, that more can be achieved by examining the political institutions within a country (such as political parties) and their relationship to, and (in) dependence from the state in order to assess whether a political system is likely to transition towards democracy. Potter (1997) argues that this can help in understanding the various patterns of democratisation as well as “how they shape the political outcomes of similar state relationships in different countries” (Potter, 1997:27- 28).

#### **4. Civil Society**

For Potter (1997), the three theories imply that civil society is an important internal factor in understanding the “pressure from below” or the transition to democratisation and that a strong civil society can resist authoritarianism. The idea that the civil society plays a role in the democratisation process was promoted in the case of Poland, where the activities of the Solidarity Union and the Catholic Church were the main cause of the collapse of the communist regime (Niblock, 2005:486). Transition to democratisation in other Eastern European countries as well as South Korea stimulated through demonstrations and strikes by students, unions and citizens destabilising these authoritarian governments (Linz & Stepan, 1996). A strong civil society prevents the state from becoming over-powerful by channelling discontent with the ruling elites into vocal demands for political reform. According to Potter (1997: 28), an autonomous civil society that includes for example political parties, trade unions, professional associations, community development associations, social movements, and other non-governmental groups

which put pressure on the regime is a prerequisite for democratisation. Modernisation and transition scholars argue that democracy “is brought about by individuals and groups who fight for it” (Sørensen, 1998:28); and the emergence of and an increase in civil society can bring with it other factors that help to facilitate the transition, such as the mobilisation of an independent media. In some cases, in Asia, Africa, Eastern Europe and the former Soviet Union, the mobilisation of civil society was accompanied with the consolidation of other factors that facilitated the transitions, such as the rallying of independent media.

For transitional scholars like Rueshemeyer *et al.* (1992), civil society is also an outcome of economic development, strengthening the capacity of the lower classes to participate in changing the balance of class power. Diamond (1999) makes this point also by arguing that economic development leads to greater concentrations of people in more populous areas of residence, while simultaneously dispersing them into diverse networks of interaction. This results in “decentralizing control over information and increasing alternative sources of information and dispersing literacy, knowledge and income, and other organisational resources across the population, thereby, increasing the possibility for protests that can challenge the authoritarian regime” (Potter, 1997:28). However, they warn “a weak urban class civil society becomes a tool for maintaining the authority of the dominant class” (Potter, 1997:28). Civil society can then play an opposite role in which some classes may tend to maintain authoritarian authority to protect certain interests, opposing democratisation (Sørensen, 1998). It is important, then, to create a balance of power between the state apparatus and civil society, which is described by Tocqueville (1840) as the “institutional bedrock” for promoting democracy by inspecting and maintaining the balance of power with the state.

## **5. Political Culture**

Political culture is the “system of values and beliefs that define the context and the meaning of political action” (Sørensen, 1998:25). Lisa Anderson, although not a protagonist of the approach, defines political culture as “the values that might support or undermine a particular set of political institutions, the particular distribution of patterns of political orientations-attitudes towards the political

system and its various parts, and attitudes towards the role of the self in the system” (1995:7). Potter sees a supportive political culture as a strong prerequisite for democratisation and argues that countries with pro-democratic political cultures are more likely to be democratic (1997:28). Yet, the three theoretical approaches do not agree upon the importance of political culture as an explanatory factor. Modernisation scholars rely heavily on the concept, arguing for a strong statistical association between a certain level of education within the population and its commitment to democracy, participation, moderation, and tolerance of opposition while the structural scholars consider political cultures a consequence of democratisation and not its cause (Potter, 1997).

To the transitional approach, political culture is almost a neglected factor, as it is argued, “transitions to liberal democracy are caused by the calculations of political elites in conflicts, some of whom eventually recognise a common interest in democratic compromise” (Potter, 1997:29). This, however, excludes broader society from being a primary agent for change and so a widely shared political culture is not important to the early democratisation process. Arguably, however, it may play a role in the consolidation phase as elites and societies become acclimatised to democratic norms and behaviours. Ultimately, political culture has, as described by Sørensen (1998:25), a “dynamic nature”, meaning that its nature and impact can vary considerably and it is not possible to draw a clear relationship between democracy and cultural patterns. For example, it can be claimed that religion is a particularly strong political culture, because it is socially powerful and can have considerable impact on the beliefs, values and actions of its adherents, but it does not have a constant relationship with democratisation (Potter, 1997:29).

Since the 1990s, “orientalist” scholars have argued that the Middle East’s apparent failure to democratise is related to the political culture of the Muslim world and Islam and that there is a negative correlation between a strong religious culture and democratisation. The literature that disproves such a premise is vast; however, it is sufficient here to note briefly the critiques put forward by John Esposito and John Voll (1996) and Dale Eickelman and James Piscatori (1996). According to Esposito and Voll (1996) the three fundamental principles of Islam can be, and often were, subjected to undemocratic interpretations, nonetheless, there is no political or

cultural determinism driving such developments (1996: 24-27). Eickelman and Piscatori (1996), furthermore, analyse different political arrangements and political initiatives that spring from those diverse interpretations and invoke Islamic symbolism to reinforce their democratic identity.

Potter (1997) suggests that focusing on religion as a causal factor in democratisation is problematic because doing so implicitly leads to the treatment of religions as “monolithic, when their core doctrines are typically subject to a variety of interpretations, and as immutable, when they are notoriously revisionist in the face of the changing circumstances and political currents” (1997: 29). Generally, any assessment of political culture is likely to be hampered by this dynamic characteristic, being likely to capture the phenomenon for only a “moment in time” and therefore be unable to determine definitively whether the political culture is a determinant of, or a result of, the prevailing political structures and stage of economic development.

## **6. Transnational and International Engagement**

The final explanatory factor proposed by Potter (1997) is transnational and international engagement. International interactions; that include war, foreign aid, loans, military action, diplomatic relations, the work of intergovernmental organisations such as the United Nations, can create an impact from outside, beyond the control of the state, which propels that state into beginning the process of democratisation (Sørensen, 1998). In some cases, such interactions may require that a state instigate certain reforms as a condition for receiving financial or military aid. For example, countries such as the U.S. and international agencies such as the World Bank played a role in creating liberal democracies in Asia during the 1980s by exerting pressure on the existing authoritarian systems that were dependent on external agencies for loans, aid and trade, the most notable example is the Philippines (Potter, 1997:31).

Similarly, global developments beyond the control of the state - such as “international trade, the movement of labour, media and communications networks, advanced technology and the cyber world or international organisations such as

AMNESTY International or Oxfam can influence populations directly and prompt new thinking, a reassessment of accepted beliefs and an awareness of what is happening elsewhere in the world which can stimulate the beginning of democratisation and consolidate its progress, effectively creating demand from below and influencing domestic class structures and social divisions” (Potter, 1997:30)

In summary, the above discussion has established that Potter’s (1997) six explanatory factors may be identified as prerequisites for a democratic transition, that is, an alteration in the political system of a country towards Dahl’s (1971) criteria of greater participation, contestation, and civil and political rights. However, these six factors are not necessarily sufficient for democracy to take root. Nor is there any formula establishing to what degree each factor on its own is required, or exactly what each must look like in any and every context. The factors may be interdependent: for example, the strength of civil society is related to the degree and format of economic development; international actors might strengthen civil society or use their economic muscle to pressure elites towards democratising reforms. A political culture that is conducive to democracy might result from early reform processes becoming embedded or consolidated, or it might encourage civil society to be bold in demanding that elites be more accountable. Furthermore, it is not clear whether all factors need be present for a political society to transition to the democratic state, which of them might be most important, or in what order they might be most effective.

Still, despite these apparent weaknesses, Potter’s (1997) conditions do offer a framework through which this study can assess whether the political reform process that has taken place in Kuwait during the period 1992-2013 can be understood to be democratising. In specific, the study can examine the influences of Potter’s six preconditions for democratisation after the reforms were instigated in order to assess whether any or all of these are in place, and if so, are being enhanced as a result of the political reforms. In order to further elaborate on the theoretical approach of this study, it is important to review the theoretical explanations of the absence of democracy that specifically look at the Middle East, not least because the six explanatory factors outlined by Potter (1997) and the theoretical approaches

from which they are derived have their origins in studies principally of European, African and South American experiences.

The next section reviews these main regional approaches and focuses on the concepts that are most useful for understanding the particular case of Kuwait. This will help in adding another layer to the theoretical frame of the study in so far as it can help in the final conclusion of whether the political reforms constituted a process of democratisation or regime survival.

## **2.4 Regional Approaches to the Study of the Absence of Democracy in the Middle East**

Following the end of the Cold War, marked by the fall of the Berlin wall in 1989, and the subsequent spread of democratisation through Eastern Europe, scholars have noted that the Middle East has appeared to be resistant to democracy and has remained dominated by authoritarian political regimes (Haerpfer *et al.*, 2009). The events of the Arab Spring, representing a break from this trend and indicating the yearning towards democracy by the people of the Middle East, have not shaken the roots of authoritarian regimes lending this literature more importance as the need to understand the conditions and processes of a transition to democratisation is vital.

The discussion in this section presents an overview of the debates that dominated this literature and that offered a variety of explanations for the absence of democracy and the persistence of authoritarian rule in the Middle East. This will serve as a precursor of investigating the case of Kuwait allowing for a regional contextual perspective to supplement Dahl's (1971) definition of democracy and Potter's (1997) six criteria for democratisation. Four broad approaches can be identified within this literature: cultural, structural, including the "rentier" state, civil society and political liberalisation; each focusing on a particular dominant factor as an explanation to what appears to be a resistance to democracy and an absence of progress towards democratisation in the Middle East.





### 2.4.1 The Cultural Approach

This approach attributes the absence of democracy in the Middle East to the incompatibility of Arab culture, and more specifically Islam, with democracy. The cultural debate takes two forms, the first argues that only Western countries provide a good grounding for democracy and that Islamic law and doctrine is considered to be deeply illiberal, helping to create a climate that is hostile to democracy. For example, Samuel Huntington (1991a:22) relates a country's religion to its ability to transition, arguing that there has always been a "strong relationship between Western Christianity and democracy". Conversely, Huntington observes that "no Arab leader had the reputation of supporting democracy" and that Islam and democracy are "inherently incompatible", because Islam is a comprehensive religion that does not distinguish religion from political institutions and emphasises the role of the community over the individual, the individual being one of the main pillars of liberal democracy, (1991a: 28). Huntington (a1991) himself does however; suggest that there are limits to the cultural obstacles in any society because culture is dynamic and prone to change from one generation to another. Accordingly, he assumed that wealthy Middle-Eastern countries, such as the Gulf monarchies, would be in the "political transition zone" in the 1990s, resulting in democratisation (Huntington, a1991:31). Paradoxically, Huntington (1991b), ultimately, leaves the possibility of Islam's compatibility with a democratic future open.

The second form of the debate argues that there is nothing inherently anti-democratic in non-Western cultures, and those cultures cannot be argued to be hostile to democracy. Some scholars have gone further in this respect taking the position that it is not Islam per se that is inhibiting the spread of democracy. Rex Brynen *et al.* (1995) consider that political culture rather than religion alone "has considerable utility as an explanatory variable, but only if it is dealt with in a nuanced way, sensitive to the effects of history, social structure, and context" (Brynen *et al.*, 1995: 7). They argue that both authoritarian and participatory aspects are present in the political culture of the Middle East, but with the participatory aspects being "expressed in the Islamic principle of *shura* , the bond

of obligation between the ruler and ruled, (represented by the *bay'a*), and in traditions of accountability, and in (limited) participation in tribal decision-making". Therefore, it cannot be argued that Islam is in itself completely incompatible with democracy; and notions of democracy, regardless of their source, can be seen well established in Islamic political discourse (Brynen *et al.*, 1995). Mark Tessler (2002), furthermore, argues that Islamic beliefs cannot be proved to have had a large impact on political behaviour in the Arab world. In the same critical vein, P. Kumaraswamy argues that an anti-democratic stance, rather than being inherent in Islam, has been imposed over the centuries by those who interpreted Islam, the *ulema*, or scholars (2006). One such example is the strict and conservative Sunni Wahabi interpretation of Islam in Saudi Arabia, which had severe repercussions on the development of the political system and the role of women in Saudi Arabia society as well as other parts of the region and beyond.

Cultural aspects outside religion have also been examined in order to identify their impact on the absence of democracy in the Middle East. Michael Hudson (1995) suggested that looking at elements such as group identities, orientations towards authority, and principles of justice and equality are equally important to understand the political community and political culture. The Middle East's relationship with the West is seen as another element that hindered the transition to democracy. Bernard Lewis criticised the way in which democracy was being imposed in the Middle East, suggesting that local resistance to democracy arises from its status as having been "from the West in a box" with its "Westernised rules from above [so that] it failed to fit in with the Middle Eastern and Islamic societies" (2002: 62). In addition, Lewis (1993:5) argues that the issue does not lie in Islam as a religion in itself, even though Islam emphasises the sovereignty of God over the society and the people, but in the radicalised Islamic ideologies namely the "Islamic fundamentalists" who sees those bonding their faith and being secularised as misled by "foreign infidels and Muslim apostates", not only that but also the issue lies in "Foreign powers". However, Lewis (1993:6) explains that, both the fundamentalists and the West are concerned with securing their own interests. Therefore if democracy was of benefit to them, the Islamist fundamentalists would adopt it and the West will encourage it and ignore their record of abusing democracy and human rights. For the Islamists this would be an opportunity to "govern by Islamic rule if

they gain power” and for the West they keep them as their allies. Brynen *et al.* (1995) also emphasise that democratisation has been complicated by colonisation and the conflict between the West and the Eastern Muslim world.

Furthermore, Marek Hanusch, criticised the scholars that claimed that Islam is a “an intrinsically repressive religion where an allegedly lower value attached to personal freedoms goes hand in hand with fewer democratic institutions”(2013: 315). He acknowledges, “Muslims are rather pro-democratic” and the correlation between Islam and lack of democracy is false because those scholars do not consider the characteristic of the economy and the politics of Middle Eastern states; they tend to neglect other variables. Those neglected factors are: the natural resources in particular oil and secondly “the coercive power of the states.” The use of these two factors was apparent during the Arab spring. Those countries with oil wealth supported and also encouraged the repressive countries to use violence against any civil movement calling for democratisation and the removal of the autocratic rulers. He concludes that in the Middle East “Religion is not the constraint; it is politics and economy.”(ibid.,319).

In a similar vein, David Smock et al. (2002) supports the views of Hanusch (2013) and indicate that historical, political, cultural and economic factors rather than religious factors are the variables hindering democracy in the Middle East. They emphasis that prophet Muhammad in Medina created a non-authoritarian climate that is irrelevant to the ones found in the Middle East, and which claim to follow that of Medina and to be purely Islamic, because Islam acknowledges the principle of *Shura consultation* as a “the source of democratic ethics in Islam” Smock et al. (2002:1).

Meanwhile, Smock et al (2002) do not completely neglect the fact that it is the ‘conservative Muslim’ scholars who tend to suppress and silent the democratic voices in the Middle East because they think it is a Western agenda towards controlling the Muslim world, on the other hand Smock et al (2002) acknowledges that there are the ‘reformists Muslims’ who are responsive and accept changes in the Middle East and encourage the “continuity of the basic Islamic tradition” but

not the *Sharia* because its historically conditioned, unless it was reinterpreted to be more responsive to the “changing needs of modern society”.

Smock et al. (2002:4) offered an example between theory and practice on how Islam as a religion is being interpreted according to countries’ own benefit and interest and the extent to how it can be abused and misused. In the case of Taliban in Afghanistan, the rise of ‘political Islam has made the concept of Islamic sovereignty central to Islamic political theory and that concept is often presented as barrier to any form of democracy”. The Qur’anic concept of sovereignty is universal, transcendental, indivisible, inalienable, and truly absolute. God the sovereign is the primary lawgiver, while agents such as the Islamic state and the Kkalifa (God’s agents on earth) enjoy marginal autonomy necessary to implement and enforce the laws of their sovereign. At the theoretical level the difference between the modern and Islamic conceptions of sovereignty is clear but operational implications tend to blur the distinction.” Smock et al. (2002:4) add “regardless of where sovereignty is placed theoretically, in practise it is the state which exercise it and not God.” In the case of Taliban in Afghanistan “even god was supposedly to be sovereign” in reality it is “the Taliban that was sovereign, Mulla Omar ruled, not God.” The issue accordingly is not in sovereignty as in reality whether it is a democratic country or in a Muslim state “sovereignty is a human”. So the issue is “how to limit this sovereignty”. Thus Democracy and its principles in this regard do limit human sovereignty. In addition to that the notion of “Islamic governance is interpreted by different Islamic scholars, and hence it is not nearly as immutable as they content” Smock et al. (2002:5).

Thus Smock et al. (2002:7) argue that despite the repressive nature of the Middle Eastern states, women and youth movements are trying to counterbalance the power of the authoritarian regimes to effect change. However they emphasise that the U.S and the West should empower and foster civil society besides putting economic and political pressure on the authoritarian regimes in the Middle East to “encourage fundamental change.”

The political culture approach suffers from several flaws. The overreliance on Islam as an explanatory factor is problematic by itself since one cannot rely on the narrow reading of the Islamic doctrine itself due to the diversity of Islamic doctrines and the lack of a monolithic understanding of Islam even within the Muslim community itself. The approach displays also other methodological limitations such as the one highlighted by Brynen et al., (1995) in that cultural attitudes do not only impact on political realities but are also influenced by the political context and it is often difficult to establish the direction of causality. A further set of methodological challenges is posed by the difficulties of gathering appropriate and sufficient data, which can account for attitudinal variations across countries, classes, gender age-specific and communal groups in the region, thus substantially inhibiting the use of culture as an explanatory factor for political behaviours. The political culture that characterises the environment of a state is of importance in terms of whether it values and promotes democratic ideals and practices or not, however the reliance on this one factor can be of limited value. That explains why Scholars like Anderson (1995) have summarily rejected the approach, suggesting that other methods of investigation, such as studying the historical process of state formation and the contemporary impact of political economy, or structural aspects of the economy and the political system, are more reliable than studies of political culture.

### 2.4.2 The Structural Approach

The explanations offered by structural theorists emphasise the role of structural and economic factors in explaining the absence of democracy and the lack of political development, stressing the process of economic development and its impact on class structures and political institutions of Middle Eastern societies. Extensive quantitative research has shown that there is a “strong positive relationship between democracy and wealth” (Brynen *et al.*, 1995:14). In the structural approach, wealth is usually associated with modernisation, which helps to break down the power dominance of old authorities and forces political change onto societies, via higher education, social satisfaction, and the creation of a less “conflictual political environment” Brynen *et al.*, 1995). A new complex society is developed, leading to the growth of an autonomous bourgeoisie, which, as Richard Waterbury (2001) argues, played a role in the development of democratisation in Europe. Yet, the Gulf Monarchies including Kuwait are very wealthy as a result of the massive accumulation of oil revenues. There is then a question as to why this major increase in wealth has not led to a process of democratisation.

Some scholars argues, that the structure of the society in the Middle East plays a role in blocking the presumed positive effects of wealth on democratisation. Iliya Harik (2006) argues that in the Middle East, the elements essential for the process of democratisation differ from those in Western Europe because the population is, to a greater extent, financially dependent on the state. Post-independence welfare policies, combined with statist development policies, have shaped political economies that revolve around state-bourgeoisies, rather than autonomous industrial bourgeoisies. The middle classes that have developed in these societies are dependent on, or captive to, the state, inhibiting the rise of liberal challengers to the power of the state and state institutions. According to Simon Bromley (1997) and Korany *et al.* (1998), the key determinant of this pattern of development has been the rent derived from oil and hydrocarbons.

The concept of the 'rentier state' was first introduced by Hossein Mahdavy (1970) to describe Iran under the Shah. The concept derives from definitions of "differential" and "absolute ground rent" in classical Marxism (Jenkins *et al.* 2011: 5). In its original formulation, the concept characterises states where a substantial portion of national revenues originates from the rent obtained by selling indigenous resources to external clients (Mahdavy, 1970). Since the 1980s, other scholars have pointed out that there is a strong relationship between Arab oil wealth and the absence of democracy. According to Hazem Beblawi and Giacomo Luciani (1987), the oil-producing countries have developed as 'rentier' states, in which rents are derived from external resources that require little or no domestic labour. Oil production and exports permit a distributive state that releases the government from any demand for political participation, because the oil wealth is used to buy the citizens' loyalty and consensus (Ross, 2001). The provision and allocation of services by the state allows it to expand its repression without exacting taxation from its citizens (Herb, 2005). 'Rentier state' scholars such as Ross (2001) and Beblawi and Luciani, (1987) also argue that the absence of taxation leads to an absence of political participation, given that, historically, countries which depend on taxation usually offer larger political participation to their citizens.

Mehran Kamrava (2011:270), further elaborates that "rentierism" has had two significant consequences for the political economy of the Middle East. Firstly, it "has curtailed the degree to which society has been able to obtain autonomy from the state, thus undermining the possibilities of democratisation from below". Secondly, "rentierism" "has kept the potential for greater economic and industrial development in check, instead perpetuating the very unproductive practices that keep "rentierism" alive" (Kamrava, 2011:270). The state, thus, does not demand any kind of revenue or tax from the society and society in turn puts very little pressure on the state beyond the distribution of the rent (Kamrava, 2011:271). Rather, it engages in rent-seeking practices which require maintenance of the "political status quo and their passive compliance". According to Kamrava, this type of transfer of resources to society creates a submissive populace, or what he termed a "dependent pool of societal clients" which include all social classes from civil servants and public employees (bureaucrats, teachers, physicians working in

governmental hospitals) to large urban labour groups and unions (Kamrava, 2011:271).

However, he points out that while this was the case in 1960s and 1970s in the Middle East, the collapse in the oil revenues due to the oil output falling from a high of 31 million barrels per day in 1979 to 18 million in 1982, and the fall of the oil price by 50 per cent in the mid-1980s created new pressures on the ‘rentier state’ (2011: 272). With their ability to distribute sufficient rent to satisfy a large part of their rapidly growing populations under threat, the states were forced to search for new “survival strategies”, which he identifies as oppression of the opposition and “reinvigorated authoritarianism” while simultaneously introducing political reforms as part of their survival strategies.

Attributing the absence of democracy in the Middle East solely to the impact of oil wealth and the resultant social contract appears to be too deterministic and one dimensional. Also, these societies are neither passive nor docile; otherwise there is no justification for the high levels of repression and suppression of civil and political freedoms that are prevalent in Arab oil-states. Thus this causal association between “rentierism” and lack of democracy is debatable and uncertain. Brynen *et al.* acknowledge that the “rentier” state model exaggerates the link between oil wealth and authoritarianism, ignoring other historical and cultural contexts. (1995:16).

In this vein, Abdulkhaleq Abdulla (2010), Mohammed Hachemaoui and Michael O’Mahony (2012) and Benali Meliha Altunisik (2014), specifically questioned the umbilical connection between authoritarianism and the ‘rentier’ state and suggest that the debate is marred by biases and paradoxes that approximate the ‘orientalist’ approach to the study of the Middle East. Abdulla in a similar fashion to Kamrava, suggests also that the ‘rentier’ state model, while useful for the early years of Gulf economic development, is anachronistic today (2010:4). He argues, “This theory is responsible for reinforcing the exceptionality view which asserts that the Arab Gulf States possess unique economic and socio-political attributes that are rarely found in any other comparable group of states”. However, the accumulated impact of the processes of nation-building, regional conflict, media and technology advancements, economic globalisation and relentless foreign pressure, have



combined to remove the primacy of the oil/security logic which underpins 'rentier state' theory and provided an impetus for massive socio-economic transformations and new political demands.

Altunisik (2014: 75-92) also agrees that the "rentier" state theory needs to take into account the changes of circumstances of the oil economy. However, she indicates that regimes have built not just economic but also ideological alliances and coalitions with other social forces, which partly explain their on-going ability to co-opt society in spite of relative economic difficulties, and that researchers should not underestimate the impact of external interventions in the geo-politics of the region upon domestic political environments. For instance the wars in Syria, Libya and Yemen are such glaring examples of how civil resistance to bring down authoritarian regimes can become much more complicated and exceedingly violent when the interests of other regional and international state actors are brought to the fore.

### **2.4.3 Civil Society Approach**

Scholars, such as Mustapha Al Sayyid (1995) studying the concept of civil society and its relevance and applicability to the Middle East offer two diverse arguments; some argue that civil society does not exist while others propose that it does exist but it is weak and its role in initiating and pushing for political reforms from below is unsatisfactory. Those who argue that civil society does exist in the Middle East and that Islam has not been an obstacle to its development take a historical perspective pointing to the flourishing of CSOs in the Middle East at the end of the nineteenth century (Ibrahim 2004:39). By 1950 more than 3,000 CSOs could be identified across the Middle East. According to Saad Eddin Ibrahim(2004), their role evolved in response to regional circumstances, with activities directed both at developmental issues such as welfare and education and at specific political issues such as opposition to Ottoman rule and later Western colonialism. Ibrahim posits that their most significant role historically was in supporting Middle Eastern independence movements. Moreover Ibrahim (2004), Tim Niblock (2005) and Bryne *et al.* (1995) have all argued that the region's associational life has served to

protect the household and the market from the state and as a means for conflict resolution.

Additionally, the work of Walid Kazziha *et al.* (1997), demonstrates that CSOs played a visible regional role after the achievement of independence, as the 1970s and the 1980s witnessed a growing interest in the idea of democracy among many intellectuals who had lost faith in their old beliefs and advocacy of nationalism, socialism and state control, and opted to search for new solutions to what they described as the “ills of all Arab society” and their regimes (1997: 10). He elaborates that the failure of Ba’ath party in Iraq and the collapse of Nasserism catapulted the region to search for new tools such as democracy and liberalisation to achieve their ambitions of national and social revival. During that period, civil society activists called for liberal reforms aimed at restructuring the relationship between the state and the society; they actively established a number of organisations aimed at achieving these goals, such as the Arab Human Rights Organization.

Moving to the end of the twentieth century and the new millennium, Ibrahim (1995) argues that some CSOs in the Middle East continue to operate and are able to do so even in the most restrictive political and legal environments and they should not be entirely discounted. This point is extremely important because the work of CSOs in the region is lost in the midst of its comparison to Western style CSOs and also in the lack of full understanding of the strict environment they operate in which exceedingly constrains their influence. However, as Kazziha *et al.* (1997) points out Middle-Eastern CSOs failed to penetrate the lower level of society with ideas of democracy, and asserts that they failed to do so because the aim of the majority of the CSOs was to gain access to the political regime and sharing power with the rulers without challenging them or even initiating reforms within imposed limits (1997:13).

The failure to widen the social base of the CSOs is also indicated by Amy Hawthorne who attributes the weakness of CSOs in the Middle East to an “inability to attract a large proportion of the population, due to the fact that social, economic, and political life in the Middle East revolves around family, clan and tribal ties”

(2004:11). Therefore, the kind of “voluntary citizen activity that works beyond these primary relationships” and that can challenge the settings of the authoritarian rule and shift the political realm from it to that of society and finally lead to democratisation has not developed in the Middle East (Hawthorne, 2004:11). Hawthorne acknowledges that “the zone of civil society in Arab countries can be a source of democratic change”, but it is not inherently one because similar to Kazziah’ argument, she observes that “ the CSOs in the Middle East consist of associations that do not oppose the status quo of their countries, and they only sponsor conservative reforms “ (Hawthorne, 2004: 5).

Ghasan Salame (1994) also describes Arab civil society as seeking to advance “democracy without democrats”, arguing, as Francesco Cavatorta and Azzam Elananza have done, that CSOs’ commitment to democratic politics have too often been instrumentalist rather than normative, and are influenced by the prevalent authoritarian environment, and sometimes they are guided by pro-government, or illiberal groups rather than a reformist agenda (2008:564). A good example of such associations is the professional associations or the unions that are considered by Hawthorne as “arms to the state”, because the majority of their members are employees of, or dependent on, the government for their economic survival who would rather keep the status quo intact than seek political reforms (2004:11). Hawthorne (2004) points also to the Chambers of Commerce as being part of these CSOs that are served well by their dependency on the government through economic privileges and business opportunities, in return for their loyalty. Moreover, Hawthorne explains that the regimes in the Middle East “have neutralised groups whose activities are deemed too sensitive by applying a combination of sticks (the threat of repression) and carrots (funding and political protection)” (2004:11).

These regimes do not tolerate the fact that any other institution may have more or even similar power; therefore, they tend, by various means, to supervise those associations and limit their activities by burdening them, for example, with legal rules and regulations, and thus they remain weak and under the control of the government, or in the case of the Chamber of Commerce, they typically become an instrument for the ruler’s power. The difficulty of bringing change and reform from

below through the CSOs in the region, as detailed above, is a significant factor in the lack of progress in the region towards democracy. And as the Arab Spring indicates, even when civil society erupts against these regimes the outcomes are not necessary a move towards democracy, primarily because other conditions are not primed to utilise the opportunity such as political parties, CSOs, unified national agenda and unified national leadership, as well as the role of press and the media, which for so long has been controlled and censored by the regime.

This brings us to the other group of scholars, who suggest the non-existence of civil society essentially because of the persistence of primordial identities. They argue that unlike European civil society, Middle-Eastern associations have not been based on voluntaristic identities (being rather based on familial ties such as tribes, religion, or city vocations such as guilds). Furthermore, as Augustus Richard Norton (1996) stresses, the issue here is that the very nature of primordial and religious associating, as the basis of political and civil life, makes it very hard to foster a climate of difference and acceptance of difference.

The reasons for this assumed non-existence of civil society in the Middle East are themselves subject to debate within this group of scholars. These can be grouped under two main explanations. The first, as already indicated above in the discussion of political culture, suggests that Islam constrains democratic development through its emphasis on community versus individual rights. Additionally, because Islam acknowledges only divine sovereignty it inhibits the development of an autonomous public sphere and also notions of individual autonomy and citizenship.

The second explanation, represented by Ian Lustick, posits that post-colonial Arab states promoted their own ideological hegemony, effectively making their own legitimacy the “national culture” of the political community, reducing the capacity of civil society to legitimately challenge the state (1999:30-47). “Alternative agents such as religious authorities, tribal leaderships, private sector bodies, and latterly political parties and CSOs, were either co-opted or excluded, turned against one another by a state eager to bestow privileges in exchange for loyalty” (Murphy, 2011: 963). In such a situation, politics becomes largely deferential, patriarchal and marked by a lack of trust, and individuals are forced to retreat behind “primordial

walls of solidarity”, reinforcing partisan interests rather than voluntaristic civil associations (Sadiki, 2000: 71-95).

In summary, despite the presence of two strains of thought on the existence and/or non-existence of civil society, there is an apparent tendency in the literature to accept that some form of civil society does exist and have managed to survive government’s restriction and control. However, it lacks autonomy and remains weak and only active to a certain degree and cannot move beyond the limited space set deliberately by government in order to maintain the status quo. In this manner, one can see the issue is not that these CSOs have not developed but that they have developed in a manner that reflects the structuring of the relation between state and society being based on primordial, fragmented and segmented identities, and that these over time, instead of declining in importance, have become the only structures through which civil society can operate and dialogue with the state. This can only limit and restrict the role that CSOs are able to play as the engine for democratisation from below.

#### **2.4.4 Liberalised Autocracy**

The concept of “liberalised autocracy” derives from a broader set of literature that examines the political liberalisation process which has taken place in some parts of the Middle East and attempts to find another explanation for the region’s weak civil society and its difficulties in moving towards democratisation (Brynen, 1995). Simon Bromley (1997) has argued that the Middle East has witnessed some political reforms and opening up of its political systems, but that this did not mean a substantive change in regime or a reduction in authoritarianism. Rather, Middle Eastern countries had encountered what scholars such as Brumbergh (2002) identified as “political liberalisation”, deliberate actions taken by the authoritarian regimes to provide sufficient change to satisfy popular or international demands and allow the ruling elites to retain power. More specifically, Bromley observes that although Lebanon, Morocco, Yemen, Jordan, Egypt, Algeria, the Palestinian proto-state and Kuwait have experienced degrees of liberalisation, these cannot be considered democratisation (Bromley, 1997).

Bromley (1997) identifies these regimes as ‘liberalised autocracies,’ which he argues allow some “political freedom and political competition not because they are committed to democratic change” but because they want to avoid the severe costs of confronting social crises with their own people, viewing “limited reform” as “less costly”. Similarly, according to Brumberg (2002: 56) the political system of “liberalised autocracy” is characterised by “guided pluralism, controlled elections, and selective repression”, thus by allowing a certain limited degree of liberalisation and civic activism it permits the channelling and easing of potential pressure from below while allowing the repressive regime to survive essentially unchanged even if confronted with external pressures from the international community or internal pressures from their own society. The “liberalised autocracy” in the Middle East tends to create a condition in which they allow for the partial opening of the political space while on the other hand they confine the CSOs and limit their abilities and activities and do not allow them to work independently from the state. Some rulers have “liberalised” and passed reforms from above and allowed parliamentary elections and political participation as an outlet for their people to freely express themselves and welcomed associational life; however, they limited their power. Therefore, free and fair elections, and effective political participation did not take place, nor was associational life strong enough to play an active political role.

Notably, these scholars make a distinction between political liberalisation and democratisation and recognise differences in both processes. Brynner *et al.* (1995:3) argue that democratisation “entails an expansion of political participation in such a way as to provide citizens with a degree of real and meaningful collective control over public policy”. Political liberalisation, on the other hand, is a process designed to secure the status quo in the face of pressure for change, it “involves the expansion of public space through the recognition and protection of civil and political liberties, particularly those bearing upon the ability of citizens to engage in free political discourse and to freely organize in pursuit of common interests.” O’Donnell and Schmitter further elaborate that political liberalisation is “the process of redefining and extending rights” such as freedom of movement, the right to be defended in a fair trial and freedom to associate voluntarily with other citizens (1986: 7).

Individuals tend to demand rights once they are no longer suppressed by the regime in question, and this stimulates other groups and leads to a widening of the “space for liberalised action”.

They further stress that there is no “necessary or logical sequence to this process”; it is dependent on the regime’s response, and, if the demands are not threatening to the regime, over time the liberalised practices will become institutionalised. Liberalisation is seen as necessary but not sufficient for a move from an authoritarian regime to democracy; if there is no liberalisation, democratisation “risks degenerating into mere formalism” (O’Donnell and Schmitter 1986: 9). On the other hand, political liberalisation without democratisation can be a means towards a very different end and can indicate not the beginnings of the road to democracy, but quite the opposite: the shoring up of the authoritarian regime as the lack of institutionalised accountability can allow political liberalisation to be easily manipulated by governments (O’Donnell and Schmitter 1986: 9).

As Huntington notes, “liberalising authoritarian regimes may release political prisoners, open up some issues for public debate, loosen censorship, sponsor elections for offices that have little power, permit some renewal of civil society, and take other steps in a democratic direction, without submitting top decision makers to the electoral test.” (Huntington, 1991b: 9). And even when elections do take place, they do not always represent true democracy. For example, Brynen *et al.* (1995: 4) suggest that elections, which are perceived as a “way of expanding political participation in government decision making”, can be held under partial franchise or fraud and are therefore not always representative of the citizens.

Roberto Aliboni and Laura Guazzone (2004.83) are also in agreement that the Middle Eastern countries have witnessed a degree of political liberalisation, although it does not resemble that of Western democracies. They argue that the liberalisation process has taken place gradually in the Middle East, initially starting under the Ottoman Empire and continuing under colonial dominance (1920s to 1950s) and into the modern age. They further indicate that some countries, such as Egypt in the 1980s, encountered “different waves of political liberalisation and de-liberalisation”. Their liberal reforms and policies indicated the “renewal of the

limited democratic experiences” but the trend fizzled out in the second half of the 1990s. However, despite emphasising these historical periods of liberalisation, Aliboni and Guazzone conclude that “the liberal policies had been stalled, withdrawn or circumvented in most countries and it had become apparent that Arab regimes have failed to democratise and, in some cases, have become even more repressive and unaccountable” (2004 :83). In their opinion, a number of states have instead managed to present liberalised images to the outside world, while in fact they are “ruled by modernised elites able to manipulate façades democratic institutions in order to stay in power”. According to Aliboni and Guazzone (2004:83), liberalised autocracies exist in states such as “Morocco, Algeria, Egypt, Jordan Kuwait and Bahrain”, and operate alongside “the more ‘traditional’ secular or religious authoritarian regimes” in Syria, Tunisia, Libya and Saudi Arabia.” Finally, they conclude that “in today’s Arab world there are neither democratic systems nor democratising regimes: there are instead many kinds of autocracy, each functioning differently within the general framework of authoritarianism”.

These scholars including, Mehran Kamrava (2011) and Marsha Posusney (2005) explain the resilience of these autocratic regimes while deceptively appearing democratic at times in two ways: manipulation of the political system and political institutions and resorting to the state’s coercive means (Bronwlee, 2005). Kamrava (2011) explains that governments resort to broadening the state’s inclusiveness through institutional devices such as the parliament that works as both a “safety valve” and an “institutional mechanism”, beautifying the image of the authoritarian regime and strengthening authoritarian elites while enabling the state to respond to threats. Meanwhile the social actors in those states are marginalised and oppressed if they threaten the regime, and civil society is consequently weakened (2011: 346). However, he argues that democratisation is not totally out of sight in the Middle East because even these superficial changes will have an impact in the future (2011: 347).

Posusney (2005) in turn, argues that regimes manipulate political institutions through elections to ensure that they do not really serve democratic functions, but instead reinforce the regime’s own control and political domination. She argues that the Middle East has witnessed changes, but in many cases these have been



somewhat nullified, as the rule of law was weak and elections have not been free and fair, hence, these changes have permitted what she termed a resilient authoritarianism. Thus, she suggests that authoritarian rulers may frequently manipulate elections in the Middle East, which appear to promote political liberalisation to produce a loyal parliament (2005: 91). These elections can also be a tool to convey legitimacy to the regime and gain popularity and they can represent a strategy used by a regime to ensure their own survival rather, than to encourage democratisation, meaning that they fail to meet the criteria of supporting modern political democracy. In such circumstances, the executive holds power, while the legislative and judicial branches are weaker and controlled. Although opposition parties will exist, their access to the media is limited and does not extend to their campaign activities; votes for certain groups could be forced or interfered with, to the advantage of the executive, and gerrymandering can occur.

However, although Posusney (2005) seems to present a pessimistic account of the election process in the Middle East, she - following her examination of elections in some Middle Eastern countries from the 1960s to 2000s - emphasised, just as Kamrava (2011), that the mere fact of holding elections may allow democratisation to occur gradually through providing a space for the struggle to manifest itself by and giving the opposition the opportunity to weaken or defeat the authoritarian regime. Elections are a forum for whole segments of society to discuss their future; they stimulate political mobilisation, for the very presence of the views of the opposition in the domestic media increases public awareness and activates criticism of the regime. Posusney (2005) thus terms those states, which hold elections, however limited, “pseudo-democracies”. Her case studies show that “prolonged periods of controlled contestation” carry the hope of a move towards democratisation, such as is being seen in Mexico and Senegal. The process appears weak in the beginning but then strengthens and starts to challenge the authoritarian rulers. Posusney, therefore, believes that through the election process, moderate Islamists and secular opposition movements can produce a gradual erosion of the ruling elites’ powers (2005: 95). She considers that the “institutional change” exemplified in elections, no matter how limited and manipulated, is the key to a transition to democracy, as the elections represent the core arena for multiple parties to work against the authoritarian rule until it diminishes. She further argues that the

factors adopted by the modernisation theorists and the civil society literature are not sufficient enough to explain the changes in the Middle East, and that the role of elections must be taken into account (Posusney,2005).

On the other hand, Jasson Brownlee attributes the resilience of an authoritarian regime to its willingness to react violently against opposing groups that may threaten its rule; it is not the culture of the Arab and Islamic world, nor political forces in the region that cause democratisation to fail, but the “regime’s ability to suppress that ensures it retains power” (2005: 43). The regime establishes “coercive organisations” to protect itself, which explains, to an extent, the failure of some opposition movements in Middle Eastern states, especially when compared to such movements in other parts of the world. Brownlee examined four cases in which the regime’s coercive apparatus and it’s willingness to act violently against the opposition ensured regime survival: Syria (1982) Iraq (1991), Tunisia (1987) and Libya (1993), (2005: 44).

Whether these authoritarian regimes are maintained as a consequence of a regime’s manipulation of political institutions (like elections) to ensure they do not serve democratic functions but rather reinforce the control/political domination, or through the use of coercive means, the end result is the same: little progress towards democratisation. Eva Bellin (2005: 37) notes the Middle East adheres to a “powerful political coercive apparatus” that has been strengthened with oil revenues and by the security concerns of the West, thus making the transition to democracy much more difficult to achieve. However, the uprisings of the Arab spring have challenged the notions of Arab “exceptionalism” to democratisation but also indicated that the conditions or processes necessary for that transition are not present as yet due primarily to the weakness of civil society and its associations. In summary, this discussion is important for the study of Kuwait especially in terms of identifying and separating the two processes: political liberalisation, ending with liberalised autocracies, or democratisation. Thus, political reforms that have taken shape over the years in several Arab countries are better understood as liberalised autocracies where the ultimate power still rests in the state and its institutions while democratisation entails a shift away from the dominance of the state and an increased role of civil society and its representative institutions, civil and political.

This will help the study to make its final conclusion of how to understand the political reforms in Kuwait: either a transition to democracy or regime survival.

## **2.5 Conclusion**

The literature review indicated the divergent definitions of democracy—the presumed end condition of democratisation - and the lack of consensus among scholars of what constitutes democracy. However, Dahl (1971) offers a way to assess the meaning of political reforms in Kuwait by testing whether they are expanding the realms of participation, contestation and civil and political liberties. Thus, democracy is understood in this study to mean a political system that encompasses participation, contestation and civil and political rights, so that democratisation becomes a trajectory of political reform towards those objectives.

The review also demonstrated that there is no agreement among scholars about the environment creating the conditions for democratisation, and no suggestion that any condition is sufficient and/or necessary for democracy to take root. However, the work of Potter (1997) proposes a synthesis of what he considers the most useful aspects of the combined contributions of the three main Western democratisation theories (modernisation, structural and transitional) uniting them in one scheme that emphasises six explanatory prerequisites for the democratisation process: economic development, societal divisions, conducive political institutions, a vibrant civil society, a sympathetic political culture and transnational or international engagement. The study, thus, privileges Potter's (1997) schemes as these "prerequisites" provide a useful set of "conditions", which can be used to assess whether a country is democratising. More specifically, it is possible to examine the extent to which any or all of these prerequisites have been existent in Kuwait prior to 1990 or as a result of the political reforms in the period under investigation, thereby examining the outcomes of the reforms and identifying the reasons for these outcomes. Moreover, we can assess the outcomes of the reforms in terms of the extent to which they have enhanced the democratic credentials of Kuwait by expanding participation, contestation or civil and political rights.

The review of literature on the absence of democracy in the Middle East situates Kuwait within a region specific context, which allows comparisons to be made with other states with some of the same characteristics. This literature suggests that economic development processes have been distorted in oil-rich states with a resulting tendency to reinforce distributive (as opposed to allocative) functions of the state, and thus creating an alternate social contract to that of democratic states. In this social contract, the social categories, which one might expect to grow with modernisation and to challenge the dominance of the state, specifically the new middle classes, instead are dependent on and supportive of the regime in power. Societal divisions – rather than creating challengers to a ruling capitalist class – are ‘managed’ by that class through the distribution of rent.

The literature also illustrates that pressure for democratisation from below has also been weakened by the domination of civil society by the state. Civil society in the region is neither autonomous nor strong enough to hold the state accountable or to push for democratic reform. Whether this is due to an unsympathetic political culture, regime manipulation of institutions, or straightforward regime coercion, is disputed. Political culture is a dynamic phenomenon anyway and the combinations of the three factors are likely to be country and historically specific. Again the one factor determining the trajectory of events is limiting and deterministic as state and society is neither static nor stagnant, and this allows for the possibility of change especially as these three factors interact and produce changed and/or more favourable circumstances that can enhance the democratisation process.

Finally, the literature suggests that examinations of political reforms in the region, which purport to be democratising, may lead to the discovery that these are strategies for regime survival, which deliberately inhibit democracy. Through manipulation of political institutions such as parties, elections, or civil society organisations, regimes seek to bolster their legitimacy, to co-opt allies, to counter transnational or external pressures for political reforms, and to disempower potential competitors for power by implementing political reforms which liberalise the political system without surrendering to any of the criteria for democracy—greater participation, contestation or significant civil and political rights.

In the following chapters, the study examines the political reforms in Kuwait within a theoretical frame that adopts Dahl's (1971) definition of the meaning of democracy to ascertain to what extent these reforms have enhanced political participation, expanded civil and political liberties and provided meaningful and effective contestation. Potter's (1997) scheme of the six conditions (economic development, political culture, state and political institutions relationships, and civil society, societal division and transnational and international engagement) is used to determine whether these conditions have been promoters and or hindrances to democratisation. This structures the analysis within this particular frame in order to arrive at both theoretical and substantive understanding of the process of political reforms in Kuwait.

The analysis starts in the next chapter by providing an overview of the democratic narrative of the state-society institutional relationship prior to 1990 and an assessment of the status of Kuwait's political system against the criteria of democracy (participation, contestation and political and civil rights) and the role of Potter's (1997) six prerequisites in this political account.

## **Chapter Three: An Overview of Al Sabah Rule and State-Society Relations Prior to 1990**

### **3.1 Introduction**

This chapter analyses the dynamics of state–society in Kuwait prior to 1990 which produced a particular political system; one that is underpinned by the Al Sabah family and oil wealth on the one hand, while on the other manifesting a much more interactive relation between state and society as compared to other Gulf monarchies. Kuwaiti citizens have enjoyed a far greater open political system and participatory politics, albeit with limited influence on policy outcomes, process of government and most importantly without producing a discernible shift in the balance of power between state and society.

The discussion in this chapter is organised into two main sections: the first section focuses on the manner of consolidation of Al Sabah rule through looking at the use of tradition, patriarchal and segmented identities and loyalties as the base of their rule, in addition to the increased role played by the oil wealth and the subsequent widening base of Al Sabah rule. The second section discusses the structure of political participation in its two different formations: the pre independence form, shifting between consultative and elected form, and the parliamentary form post-independence, with a focus on the latter. The successive national assemblies elected during the period 1962-1986 will be discussed in terms of their contribution to institutionalising political participation and how the relation between the state and the society evolved.

Most importantly, the discussion shows how Kuwaitis, since the early days of the rule of Al Sabah, demanded a political role and a share in political power, with this aspect remaining unaltered, even with the consolidation of an oil economy and the rechanneling of unprecedented levels of oil revenues into hands of the citizens. The insistence of citizen on the right of representation and a share in political power has been an important part of the structuring of political power and a major source of tension and confrontation between the ruling family and the citizens. Thus by 1990 the system had developed in such a way that demonstrates a contradictory process,

where increased participation and contestation is evidenced with a number of Potter's (1997) conditions present; especially economic development, a relatively favourable political culture and a representative National Assembly. Nonetheless, the relation of state-society remained skewed towards the dominance of Al Sabah ruling family. What follows is a detailed discussion of how this came about.

### **3.2 The Concentration of Power in the Hands of Al Sabah Family**

State power in Kuwait has been organised around the rise of Al Sabah as the undisputed ruling family rather than through the rise of a capitalist class, as is the case in most developed countries. Kuwait shares this feature with other Arab Gulf Monarchies where ruling families such as Al Saud in Saudi Arabia, Al Thani in Qatar, Al Khalifa in Bahrain, Al Nahyan in United Arab Emirates and Bin Saeed in Oman represent the dominant political force, and the development of state power and political structures have been closely tied to their rise. Oil wealth in all these states has facilitated the consolidation of that power and gave the ruling families the means to build state apparatus and create alliances and vested interests among the various social forces (Zahlan, 1998).

Two internal factors played a major role in consolidating and maintaining Al Sabah rule: first, cultural elements including tradition, patriarchal loyalties and segmented identities, and second, the oil wealth. The following analysis examines how these factors served to uphold Al Sabah rule and allowed them to control both the mechanisms of political participation as well as the oil economy, and by doing so undermined the general conditions necessary for democratisation as suggested in Potter's (1997) scheme.

#### **3.2.1 Tradition, Patriarchy and Segmented Identities**

Before the promulgation of the constitution of Kuwait in 1962, Al Sabah's political ascendancy and power was based on agreement and negotiations with key social forces, namely leading merchants and tribal leaders (Crystal and Al Shayeji, 1998). Abu Hakima (1967:108) notes that Sabah Al Sabah, first ruler of Kuwait, was

chosen following the traditional method prevalent in 1756. This, as observed by Schlumberger was the first legitimising factor and has been a consistent part of Al Sabah family rule in order to “ensure regime maintenance” (2010: 11). What makes tradition an even stronger force is the indirect impact of religion on it. Al Sabah like other rulers in the Arab region invoke religion and Islamic values as embodied in them and more importantly representing and legitimising their rule based on tradition and accountability to God rather than the people’s will (Richards and Waterbury, 1990). This traditional agreement between ruler and ruled was not devoid of conflict and antagonism, as shall be seen in section 3.3. Kuwaitis insisted on political participation, early on, and long before independence.

With the promulgation of the Constitution in 1962, Al Sabah rule was given a legal institutionalised basis where their legitimacy extended beyond the traditional agreement/unwritten contract between ruler and ruled, to a very formal institutional one; “Kuwait is a hereditary emirate held in succession in the descendants of the Mubarak Al Sabah” as stipulated in Article (4), while ultimate power resides in the Amir as envisioned in Article (107), whereby “The Amir may, by Decree, dissolve the National Assembly”. Al Sabah have been able to use and abuse this power over the years in order to maintain their autocratic rule and undermine the process of democratic government as envisioned in the constitution.

The second factor in the legitimatising process has been the patriarchal/paternalistic approach that emphasises the concept of the ‘one family’ *Al-Osra Al-wahida*, thus assigning to the Amir the role of father/head of the family. On the one hand this powerful patriarchal notion does not dismiss the presence of divisive and discordant divisions but makes the ruler both the “arbiter” as well as the “unifier” among the plethora of interests. This is actually a popular concept in the Arab region as well as other Gulf rulers. It is a concept that has been much emphasised by Al Sabah whenever they address the people and deliver speeches. Neither the Constitution nor the massive socio-economic changes that transformed Kuwait from a fishing and pearling economy into a modern oil economy have changed the manner in which Al Sabah perceive their relation with their people and the manner that the Amir addresses Kuwaitis. Al Sabah hold onto this concept, as much as do other Gulf rulers, primarily because this gives them the ultimate power as the indispensable ruler, without whom chaos will reign (Richards and Waterbury, 1990:



317-319). The concept of national unity constitutes an important prerequisite in Potter's (1997) scheme for the process of democratisation. As will be further evidenced in the discussion, Al Sabah cultivated segmented identities and sustained social cleavages as opposed to promoting national unity, suggesting a perceived importance of these divisions in regime maintenance and survival.

The third factor that played a role in consolidating and maintaining Al Sabah rule is the manner of manipulation, and sometimes the encouragement, by Al Sabah of these segmented identities despite their rhetoric of 'one family'. In other words the augmentation and perpetuation of societal cleavages has aided Al Sabah, in maintaining their relevance and centrality to the political system (Richards and Waterbury, 1990: 320-321). There are in particular four major cleavages that have impacted directly on the functioning of state power as follows:

***Demographic schism*** This first cleavage between Kuwaiti citizens and non-Kuwaitis manifested through the large expatriate community living in Kuwait. The oil economy created a major layer of segmentation in the society in the form of a massive expatriate community making Kuwaitis a minority in their country. The demands of an oil economy and the increased economic activities attracted a large number of foreign workers from the Arab region and beyond. Over the years the number of non-Kuwaitis increased from a level of 93 thousand in 1957 (around 45 per cent of population) to 1.227 million (around 72 per cent of the population). (Khouja & Sadler, 1979). There was also more than a six fold increase in their numbers from 1965 to 1990, while the Kuwaiti population experienced just over a two-fold increase in the same period (KCSB, 2013). Foreign labour has more significance in terms of their contribution to the labour force; in 1957 they already constituted a large share of around 70 per cent rising to 86 per cent in 1985 (El Katiri, Fattouh & Segal 2011: 6).

This situation is not unique to Kuwait; other Gulf States have similar demographic dilemmas. As pointed out by Anh Longva (2005), this aspect has been absent from studies of democratisation in Kuwait and she points out to the particular impact of a rightless majority population on how the privileged minority population conceptualise and perceive their political rights. In other words the minority

population not only is dependent economically on them but also dependent on them for its identity (in Dresch & Piscatori 2005:118). This dichotomy has served Al Sabah well in providing a tool to create a special status for Kuwaitis privileging them vis á vis the larger community in the population. In addition to instilling fear and anxiety about the migrant population especially those of Arab origin in order to decrease the chances of alliances or political identification especially as they share the same Arab-Muslim cultural characteristics.

***The Bidun*** (without or stateless) This is a large resident population that benefited from the same social and economic rights as Kuwaiti citizens but remains outside the political process despite the fact that they form the bulk of the Kuwaiti army. They consist of four main groupings: residents of tribal origin, residents who did not apply for citizenship after independence, Arab residents, especially Iraqis, who were recruited in the 1960s and 1970s in the army and police, and children of Kuwaiti mothers with stateless or foreign fathers (Azoulay, 2014). As a consequence of the Iran–Iraq war and the 1985 attempted assassination of the then Amir Jaber Al Ahmed Al Sabah (a bomb detonated in one of his cars), the *Bidun* status changed from that of legal residents without nationality to illegal residents because it was thought that many Iraqis escaping Iraq used the ambiguous status of the *Bidun* to blend in, and Al Sabah needed to crack down on that possibility and also giving them a chance to further discriminate and criminalize the *Bidun* (Al Najjar, 2014). The positioning of Kuwaiti citizens in opposition to and as rivals to non-Kuwaiti citizens has been a tactic successfully employed by Al Sabah as Kuwaitis have adopted and internalised the rhetoric of fear and distrust of *Bidun* and the expatriate community, further adding to their status as the privileged minority.

***Religious division*** Even though there is no major religious division in Kuwait, as is the case in Bahrain, between Shi'i and Sunni, heightened sectarian identification and inter-communal tensions have occurred at various points between the Sunni majority and the Shi'i minority (KTS, 2008). The Sunni–Shi'i division as described by Crystal (1990) was not only a religious division against the Shi'a, "it was a discrimination exercised at different levels: economic, in which there were sectarian division of labour; social, in which they did not inter-marry and had to

organise their own social services such as schools; and political, in which they could not access the ruler except through his secretary” (Crystal, 1990: 40). Inter-communal tensions, when they have arisen, usually stem from major events in the wider Gulf region, e.g. the 1979 Iranian Islamic Revolution and subsequent Iraq Wars: Iran-Iraq war 1981-1988, the First Gulf war 1991 and the Second Gulf war 2003. Controversially, on occasions some Sunnis have questioned Shi’i loyalty to the state; a charge most Shi’i resent deeply.

***Urban and tribal cleavage*** This has been particularly beneficial to Al Sabah especially to counter balance the power of the urban educated wealthy merchants. Urban Kuwaitis are the long-established sedentary group, notably the merchant families who are considered Kuwait’s original people, *Asil*, or the first settlers (Crystal, 1990). The tribal segment consists largely of *Bedouin* tribes who settled in Kuwait in different waves, mostly during the twentieth century and they make up approximately half of Kuwaiti citizens. Citizenship and naturalisation were granted to some members of the Bedouin tribes without rigidly enforcing the strictures of the 1959 Naturalisation Act. The urban, *Asil*, are the most effective in the social and political life in Kuwait constituting the “nucleus of the commercial, social and political life of the country” (Al Yahya, 1993: 1). The tribal groups tend to be more pro-government due to the fact that since 1961, with the rise of Iraqi threats to Kuwait, the Amir, Sheikh Sabah, embraced the *Bedouins* and made them his governmental allies (Crystal, 1990:89), (Al Fadalah, 2012). Crystal suggests the Amir initiated a process of “incorporating tribes as political allies, focusing on offering them Kuwaiti citizenship and encouraging them to join the army and the police” (1990:88). With the establishment of the National Assembly in 1963, the process required tribal members to run as candidates, who were themselves first elected by means of ‘tribal primaries’, known as *Al Intikhabat Al Farei’yah* (Al Fadalah, 2012), This led to the rise of tribal electoral power, in turn alienating the Opposition and more importantly weakening and dividing it.

These four cleavages have, on the one hand, facilitated the maintenance and consolidation of Al Sabah rule while simultaneously undermining the development of an overarching unifying identity, as the chapter evidences. These segmented identities have been consolidated and even formalised in the political process and

used to counter each other for the benefit of Al Sabah. Although Kuwaitis have a strong sense of pride of being Kuwaiti citizens, the Opposition have failed to build on that and the politics of opposition is riddled with fragmentation, thus serving and benefiting Al Sabah rule foremost. Potter's (1997) scheme indicates that societal divisions are a general positive condition that trigger democratisation as they allow for competing social forces to press for their concerns and interests, however, in the case of Kuwait they have acted as impediments to institutionalising democratic practices. The prevalence of segmented political agendas, none of which are capable to either counterbalance the power of Al Sabah or unify a majority behind them have bolstered Al Sabah's power and predominance. Oil wealth, as the next section shows, was also used to bolster Al Sabah rule. The combined effects of these two elements have produced power structures that served regime maintenance and thus in terms of Potter's (1997) scheme undermined the transition to democracy.

### **3.2.2 Oil Wealth and the Consolidation of the Power of Al Sabah**

The discovery of oil in 1938, and its emergence as the major source of income, underpinned both the massive socio-economic transformation of Kuwait and the rule of Al Sabah. The analysis in this section highlights this complex role of oil as both a facilitator of economic development and an impediment to the evolution of a democratic system of government. Specifically, oil wealth allowed Al Sabah to transform the socio-economic base through massive public investment programmes and massive redistributive policies. At the same time, this gave them the power to demarcate and control the parameters of political participation and the level of involvement of the citizens in the decision-making process. This led to the inevitable tension between a political system that seeks to maintain and manipulate segmented identities and social-economic cleavages within a modern oil economy, and the need for expanded spaces for civil and political expression rising from pressures from below.

In this manner Potter's (1997) emphasis on the role of economic development as one of the driving forces for the emergence of democracy holds some relevance to Kuwait in the sense that its particular economic development being both beholden

to oil revenues and state expenditures have in fact acted as a hindering force while simultaneously creating highly educated, politically aware and engaged citizens demanding and insisting on their right to participate in the decision making process. The discussion below details this significant and extensive role of the state that allowed Al Sabah to consolidate their power and to closely control public space.

## 1. State Led Economic Development

Oil income that started off accruing to the state in modest amounts, from mere thousands grew into billions within a few decades as a result of the quadrupling of the price of oil in 1974 (due to the impact of the Arab oil embargo of 1973) making the state increasingly wealthy, having a vast income as well as control of most of the economy (Assiri, 2007). The price of oil jumped from a mere 1.63 USD per barrel in 1962 to 11 USD in 1974, and continued to rise steadily until reaching a high of 35.52 USD in 1980 followed by slight fluctuations until the drastic low of 1986 when it dropped to a mere 13.53 USD and continued fluctuating for the rest of the period, hovering around an average of 18 USD (Cordesman, 1997). It was these fluctuations that focused the attention of OPEC on the need for diversification of the economy of oil-based states and Kuwait's development plans adopted diversification as its major economic strategy from early on. However, little progress was seen in this period towards achieving this goal, as the oil sector remained the major source of income.

The value of Kuwait exports, as seen in Table 3.1, was 1.6 billion USD in 1970, jumping to 17 billion USD 1976. The impact of the drop of oil price in the eighties is seen in the value of exports reaching its lowest value of only 6 billion USD in 1990. Oil exports averaged 91 per cent of total exports for the period 1970-1990.

**Table 3.1: Value of Petroleum Exports 1965-1991 (billions USD)**

<i>Year</i>	<i>Value of Total Exports</i>	<i>Value of Petroleum Exports</i>	<i>Petroleum Exports to Total Exports (%)*</i>
1970	1,655	1,582	96%
1971	2,507	2,412	96%
1972	2,989	2,834	95%

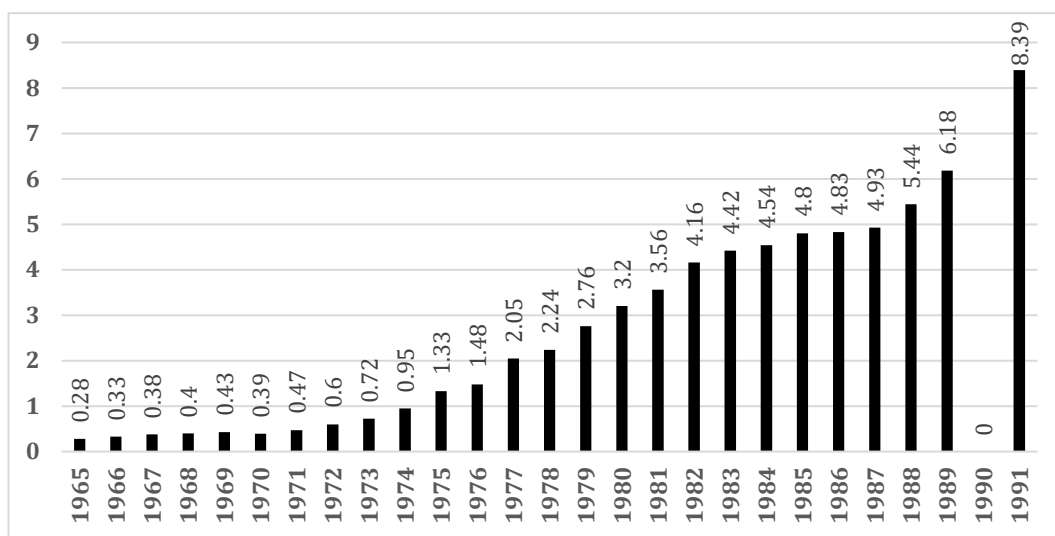
1973	3,810	3,574	94%
1974	10,963	10,566	96%
1975	9,184	8,593	94%
1976	9,846	9,090	92%
1977	9,754	8,918	91%
1978	10,427	9,557	92%
1979	18,404	17,294	94%
1980	19,842	18,935	95%
1981	16,300	14,229	87%
1982	10,961	9,066	83%
1983	11,574	10,069	87%
1984	12,280	10,996	90%
1985	10,597	9,451	89%
1986	7,251	6,378	88%
1987	8,264	7,523	91%
1988	7,758	6,840	88%
1989	11,476	10,432	91%
1990	7,042	6,385	91%
1991	1,088	874	80%

*\*Calculated by the author. Source: OPEC, 2005; OPEC, 1991.*

Until 1962, the recipient of oil income was the Amir of Kuwait, however, this changed with the promulgation of the Constitution, which declared formally (Article 21) that all revenues belong to the state rather than the ruler per se. In 1975 Kuwait nationalised the country's oil industry, and in 1980 placed it under the control of the Kuwait Petroleum Company. Despite this technical change the real power over this fast growing wealth remained in the hands of Al Sabah as the government and high level positions are reserved for ruling family members. The immense power this gave Al Sabah is easily discernible in their pursuit to build and expand a modern state with its civil and security apparatus, investing heavily in the oil sector and expanding economic opportunities in the private sector especially in commerce, services, construction and real estate. The ruling family that was once financially dependent on the wealth of the commercial elites is now in control of substantial amounts of oil income and able to spearhead massive expenditures programmes. Consequently, the level of government expenditure grew from a mere 135,285 million USD in 1965, leaping to 1.5 billion USD in 1976 and increasing steadily to reach over 6 billion USD in 1989, returning, post-liberation, to its high

expenditures of over 8 billion USD in 1991, as seen in Chart 3.1 . Also, the chart shows how the fluctuation in the oil price directly affected government spending as the years 1982-1988 show relatively little variation in expenditure between a low 4.2 billion and a high 4.9 billion USD.

**Chart 3.1: Kuwait Government Spending 1965 – 1991 (billions USD)**



Source: OPEC, 1991

Pressure on government finances, thus, started to appear in the eighties as a result of the fluctuation of the price of oil. However, during that time this did not present itself as a serious problem due to high levels of foreign reserves. However, this situation becomes much more complicated, in later years especially, in light of the Iraqi Occupation and the depletion of billions of dollars combined with the continued fluctuation in the price of oil. What is significant from the point of view of the relation of state-society is that changing these high levels of expenditure, and consequently reducing benefits accruing to the citizens (in order to reduce the budget deficit) becomes difficult, if not impossible, due to creating a mentality of entitlement.

Kuwaiti government's spending had many purposes but most importantly it aimed to support the state's three main objectives; diversify the base of the economy, develop the skill base and channel oil revenues to the population. Some of the investments, especially those in infrastructure and social services can be considered

huge achievements that rapidly transformed the life of Kuwaitis. It is beyond the scope of this chapter to delve into the efficiencies of some of the investment programmes and the extent of the success of the state in achieving these objectives, but suffice it to say that the state was successful in achieving its third objective of channelling the oil wealth into the economy and in the process creating one of the most extensive redistributive functions of the state, thus achieving the ultimate objective of strengthening the political power of Al Sabah. However, it is important to note that the objective of diversifying the economy appears to be the least successful as dependency on oil exports averaged over 90 per cent of total exports, see previous Table 3.1.

The following section expands on the manner and means of recycling oil income and its impact on interlocking the population in a dependent relation on the state, facilitating the dominance of Al Sabah over political and economic processes. Nonetheless, Al Sabah continued to be faced with mounting political pressures from the reformist elements of the Opposition for a share in power, thus demonstrating the complexity of finding answers concerning the relation of 'rentier' economy to hindering and/ or promoting democracy and the need to go beyond this concept to understand the complex dynamics of state-society.

## **2. The Redistributive Function of the State**

The accumulation of massive amounts of oil revenues and the need to channel it into the economy, in order to use it as a legitimising tool for the ruling family, created an extensive redistributive function of the government. This extensive role is evidenced through four main channels: state sponsored employment, extensive public investments, public transfers and land purchases.

***State sponsored employment*** This first channel stands among the most important redistributive channels, as the government is committed to providing employment to all Kuwaiti citizens. Article (41) of the Constitution stipulates that the state shall endeavour to make it available to every citizen and to make its terms equitable. This has been understood literally to mean that the government is obliged to provide and guarantee civil service employment to all citizens who want to work (El Mallakh,



1979). Shorter working hours, often less demanding work, more public holidays, benefits and perks make the public sector more attractive for Kuwaitis than the private sector, thus more than 87 per cent of Kuwaiti citizens are employed in the public sector (ElKatriri, Fatouh & Segal, 2011). The government went as far as to create a special budget, the Complementary Funds Budget, to provide funds for government departments to employ newly graduated Kuwaitis should the department suffer from insufficient allocations (El Mallakh, 1979). This distorted the labour market and skill base of the economy whereby more than 95 per cent of the expatriate community is concentrated in the private sector (El Katriri, Fatouh & Segal 2011).

***Programme of public investment*** This second channel has been massive and has transformed Kuwait's public infrastructure and social services from non-existent to building roads, harbours, airports and providing electricity, water and other public works. The provision of social services was one of the earliest priorities of the state especially education and health (ElKatriri, Fatouh & Segal 2011). The expenditure on education resulted in the eradication of illiteracy among what was largely an illiterate population and the provision of an educational system accessible and free to all Kuwaitis and non-Kuwaitis, which includes free books, school uniforms, meals, transportation and, for low-income families, a parental allowance (Crystal, 1995). There was an emphasis on female education and targeting illiteracy among tribesmen by establishing an Adult Education system in 1960s. University education includes free dormitories, meals, sportswear, transportation and field trips (Al Mughni, 1993). Kuwait awards some of the Gulf's most generous state funding to provide high-achieving students with scholarships to study abroad (Crystal, 1995). Higher education was encouraged with the establishment of Kuwait University in 1966, which since then has expanded significantly into a multi-faculty institution (Assiri, 2007).

This emphasis on education also produced a highly educated and engaged population where Kuwait became famous early on for its newspapers such as Al Qabas and also its liberal thinkers and writers. This is also reflected in the critical and vocal national assemblies that Kuwait elected over the years. Potter's (1997) scheme considers education an important 'intervening variable' mediating between economic development and democratisation. This suggests that the record of

Kuwait in education prior to 1990 provided an advantageous condition to challenge the authoritarian rule of Al Sabah. However, the manner in which social divisions have been organised and manipulated, and the impact of the recycling of oil revenues in the economy creating layers of beneficiaries and vested interests that are tied to the state undermined the influence of this factor.

Investment in health and medical infrastructure was also significant, establishing a comprehensive free public system that saw a rapid and consistent expansion of all types of health services; hospitals, clinics, dental clinics and other medical services progressing from virtually no infrastructure to an extensive network of services. This was accompanied with an equivalent expansion in medical staff across the varied specialities. One needs to bear in mind that such heavy investment in public infrastructure and services is also an indirect transfer to the private sector since there is no personal or corporate tax.

***Public transfers*** This is the third mode of redistributing the oil income. Pensions have become the biggest single item of transfers as a result of the public sector being the main employer (ElKatriri, Fatouh & Segal, 2011). There are also varied and wide ranging transfers included under public transfers such as debt forgiveness to Kuwaitis (Assiri, 2007). These transfers became an essential part of the benefits accruing to Kuwaiti citizens. Additionally, price subsidies constituted another layer of redistribution of oil revenues. The state increasingly expanded its expenditures on subsidies for a number of goods and services including electricity and water. This system causes an over use of the subsidised good and service and creates distortion and inefficiency in the economic system as seen in Kuwait where consumption of electricity per capita is the highest in the region; similarly, water subsidies are so high that the tariffs barely cover the cost of production (El Katriri, Fatouh & Segal, 2011). The list of subsidised items includes also housing loans for Kuwaitis, fuel and basic food items (Al Mughni, 1993). Such high levels of subsidies make it politically very hard to remove or reform, and subsequently harder to deal with the growing budget deficit. Public expenditures became highly politicised as it directly affect the level of benefits accruing to Kuwaiti citizens.

***Land purchases*** This last channel played a very significant redistributive role during the 1950s till the 1980s. Land was bought at highly inflated prices, part of

which was sold back to the public at low prices, thus transferring wealth to both sellers and purchasers of land (El Katiriri, Fattouh & Segal, 2011). However, land purchase lost its momentum and has been attributed partly to the decline in land available for purchase, but also due to severe criticism as it was seen as a highly inequitable redistribution of wealth (Crystal, 1992). The main beneficiaries of this method have been Kuwait's wealthy traditional trading families who historically owned most of the land bought by the government (Crystal, 2009). In addition, Ismael found that the programme profoundly distorted land and property prices, and encouraged speculation (Ismael, 1993).

As a result of the combined effect of expanded economic role of the state and the redistribution of oil revenues, the social structure of the society experienced a significant change. So the structure the ruling family was presiding over pre the discovery of oil is drastically different than the social structure that emerged after the consolidation of oil as the basis of the Kuwaiti oil economy. The impact can be seen in the widening of this social base and the transformation of the traditional social structure of three main social groupings (Al Sabah, leading merchants and labourers mostly engaged in pearling and fishing) into a more complex social structure. Al Sabah still sits at the top of the social pyramid with merchants divided into two strata, the upper middle class consisting of old merchant families who were able to exploit the economic opportunities associated with the oil era and increase their wealth and status significantly; and the lower middle class consisting of small shop owners, workshops and those who work in services, in addition to the new middle class associated with the expansion of state bureaucracy and education, including the professional class and state bureaucrats; while most menial labourers come from the expatriate community (Peterson, 2014). This economic positioning intersects with other primordial identities and religious affiliations that make the process of democratisation on the one hand harder to achieve while on the other allowing ruling elites an expanded space to manipulate and control, and consequently undermining and weakening civil society as a counter power to Al Sabah autocratic rule.

In summary, the discussion highlighted that Kuwait's oil wealth enabled vast economic development, with its associated changes in social structure, standards of living, economic and political aspirations, and most significantly the consolidation

of an already existing impulse among Kuwaiti citizens towards demanding their right in participating in the decision-making process. In that sense the environment has been conducive in allowing a transition to democratisation in line with Potter's (1997) scheme. However, other factors were pushing in the opposite direction and were acting as inhibitors such as societal divisions. Potter (1997) emphasises the importance of societal divisions in society as a prerequisite to democratisation, competing socio-economic interests as well as ideological and political differences being salient characteristics of the evolution of Kuwait during this period. However, these were unable to present any unified political agenda demanding the support of a majority to challenge Al Sabah and force political reforms, primarily because the manner of the evolution of the relation of state and society was based on each group ensuring their share of economic and fringe benefits rather than competing to implement political and economic national agendas.

### **3.3 The Evolution of the Structures of Political Participation**

This section traces how Al Sabah has been able to manage and control Kuwaitis' demands for political participation from the onset of their rule. In comparison to other Gulf States, Kuwait is unique in terms of its historical experience and experimentation with political participation. However, despite its early adherence to the principle of political participation, limited and controlled form of democracy has emerged in Kuwait in two discernible phases.

The first is the phase prior to independence and the promulgation of the Constitution in particular during the period 1921-1939, which was dominated by attempts to establish a form of political participation, shifting between consultative to elected, while the post-constitution phase (1962-1990), ushered the era of representative democracy through the election of a National Assembly. The discussion shall show that both forms fell short in delivering expected results since the experience of Kuwait has been riddled with interference and control by the ruling family, weakening and damaging at every stage the democratic process by manipulating and encouraging social and economic divisions in the society. More importantly this discussion reveals that, contrary to the prevalent view espoused by 'rentierism', the society in Kuwait was politically very active, engaged and unwavering in its

insistence of a share in political power despite the massive redistribution of oil wealth and the increased benefits to all social classes.

Also, regional politics impacted directly on the Kuwaiti democratic experience whether through the interference of Saudi Arabia, or the impact of the Palestine question (1948), Arab nationalism, (1950s), the Lebanese Civil War (1976), the Iranian Islamic Revolution (1979) and the Iran-Iraq war (1980) (Al Dae'in, 2012). All of which have at some point impacted on Kuwait's process of democratisation as shall be evident in the following discussion, thus further undermining the usefulness of the 'rentier' concept in providing deeper understanding of the contested and increasingly confrontational political space that typified the relation between Al Sabah and Kuwaitis. The two phases of political participation are analysed below and these will be assessed against Potter's (1997) preconditions for a transition to democracy.

### **3.3.1 The Pre-Independence Forms of Political Participation**

This first endeavour to formalise political participation in the pre independence period was earmarked by four major attempts shifting between consultative and elected; the 1921 Consultative Council, the 1938 Elected Council, the 1938-1939 Elected Council, followed by the 1939 Consultative Council. This early experimentation with democracy shows the political awareness and the aspiration of Kuwaitis to share political power with Al Sabah as well as revealing the challenges associated with it.

#### **1. The Consultative Council *Al Majlis Al Estishari* 1921**

The formation of the council came after strong opposition from leading merchant families to the authoritarian tendencies of the previous three Al Sabah rulers (Sheikh Mubarak and his two sons, Sheikh Jaber and Sheikh Salem) specifically demanding reforms and a share in the decision-making process (Al Dae'in, 2012). Most importantly, these families had decided to give their approval to the new ruler only if he agreed to listen to them and form a Consultative Council. Consequently Sheikh Ahmad Al Jaber (1921-1950) responded by establishing an appointed

Consultative Council consisting of twelve members of Kuwait's leading merchant families led by Ahmad Al Saqer (Jamal, 2007).

The Council was limited by its counselling function without any legislative role, in addition the ruler had the last say, since he was only obliged to refer to the council to seek their opinions and he was not obliged to respond to the council's advice (Al Yousifi, 2013a). Assiri (2007) asserts that the council disintegrated by itself, only after two months from its establishment on 29 August 1921 because its members were appointed according to their wealth and prestigious positions in the society and not according to their ability, in addition they lacked unity and were unable to reach decisions according to majority vote. This could be also attributed to the fact that it was the first representative institution with no prior experience and/or the rivalry among these powerful families.

The disintegration of the council did not dampen the aspirations of Kuwaitis for political participation. In the period between the dissolution of the 1921 Council and the formation of the 1939 elected assembly, Kuwaitis' political activity became much more organised to the point that a national opposition movement called *Al-Shabibah* (the Youth) was established, demanding political reforms (KPB, 2013). In addition, the merchants wanted to temper the ruler, Sheikh Ahmad Al Jabir, described as being a highly "autocratic self-centred person" who, at the time of the 'Great Depression', proved unwilling to share the oil revenues that began flowing into the coffers of the government (Crystal, 1990: 47). Another secret movement supported by Iraq called the National Bloc or *Al Kutlah Al Wataniyah* was established in 1938 by twelve highly educated merchants (Al Adsani, 1939:26). The group demanded reforms in all aspects of life in Kuwait: health, education, migration, and economic as well as in Kuwait's external relations with its neighbours such as Iraq and Saudi Arabia (KPB, 2013).

Political activism during this period had become more challenging to Al Sabah than it had been previously, to the extent that the National Bloc printed secret leaflets in Iraq and published them in the Syrian, Iraqi and Egyptian press in an attempt to raise awareness among Kuwaitis (Rabi, 2000). Being less financially dependent on merchant families as well as having British support bolstered the resilience of the Amir to reject the bloc's demands (Crystal, 1990). However, Sheikh Abdullah Al

Salim Al Sabah, the Crown Prince at that time, fearful of the bloc becoming a threat urged the Amir to open up the political arena and consequently approved the formation of an elected council (Assiri, 1997).

## **2. The First Elected Legislative Council 1938**

The Amir granted limited elections for a fourteen-member Legislative Council, known as *Al- Majlis Al-Tashre'i*. The elections were held on 28 June 1938 with the right to vote granted only to 150 elite merchant families while both the Shi'i and the tribal communities were excluded (Al Yousif, 2013a). In addition, others were deprived of participating based on their profession such as pearl divers and fishermen (Crystal, 1990). The elected members came from leading merchant families and to show their appreciation for the support of the Crown Prince, he was appointed the president of the council on 2 July 1938 (Al Yousif, 2013a).

Despite the elitist nature of this process in terms of both those who were allowed to vote and those who were elected, the council managed to draft a 'Basic Law', which can be considered Kuwait's first constitution, derived from the Egyptian constitution (Assiri, 2007). The stipulation of the law included three important principles: firstly, it stated that the people are the source of power; secondly, it affirmed the role of the Council in the promulgation of laws, especially in organising the state's budget and lastly, that the president of the Council represents the executive authority in the state (KPB, 2013). Thus, in theory, the basic law succeeded in limiting Al Sabah authority and provided the legal nucleus of a democratic system.

This nascent experience was brought to an end by the Amir's intolerance to the Council's attempts to temper his autocratic rule through interfering in the Amir's financial privileges, demanding the dismissal of two of his personal advisors and questioning his decision to grant petroleum concessions to Britain (Al Adsani, 1939). In addition, the Council sought to introduce reforms to education and economy (Assiri, 2007). Subsequently, the Amir dissolved the Council, on 21 December 1938; a decision supported by those who were economically and administratively affected by the reforms set by the Council, such as some of the merchants and Britain (Al Adsani, 1939). Also, some of those who were excluded from participating in the council such as the tribal leaders supported the Amir's

decision (Crystal, 1990), while the Shi'i demonstrated in the streets in opposition (Al Shuaibi, 2013).

### **3. The Second Elected Legislative Council 1938-1939**

The second elected legislative council was established on 27 December 1938, a week after the dissolution of the previous council. This time eligible voters were raised to 400 and the members of the council to 20 (Al Yousifi, 2013a). This council despite being weaker than the previous one attempted to work on an improved draft constitution derived from the 'Basic Law' that the first council had issued. However, its proposals were firmly rejected by the Amir, who wanted to maintain a strong grip on the Council's tasks. The Council, subsequently, was marginalised and its function altered from a legislative to a consultative one (Al Adsani, 1939).

The Amir's announcement of the dissolution of the council on 7 March 1939 led to violent confrontations resulting in the arrest and detention of some of the Amir's opponents on 10 March 1939 (Assiri, 2007). Muhammad Al Munayyis was one of the merchants who had encouraged Kuwaitis to resist the ruler's autocratic decision, and consequently one of his supporters, Yousif Al Marzooq, was injured, while Muhammed Al Qatami died, and he himself was arrested, convicted and finally executed (KPB, 2013). Others were jailed or fled the country (Jamal, 2007). In addition, the Amir closed the National Bloc's club and arrested its members (KPB, 2013). Due to this incident, Kuwait built its first jail for political prisoners (Crystal, 1990). This showed early on a willingness to use violence against opposition groups that were perceived as threatening to the Amir rule. As explained by Brownlee the resilience of an authoritarian regime is attributed to its willingness to react violently against opposing groups as the "regime's ability to suppress, ensures it retains power" (2005: 43). This ability and willingness to suppress has served Al Sabah well on many other occasions, as the discussion will show.

### **4. The Consultative Council 1939**

In an attempt to enhance his image after the violent incidents and to calm down the heightened public anger, the Amir decided to establish a Consultative Council *Al*



*Majles Al Estishari* on 12 March 1939 consisting of only fourteen members, four of whom were from Al Sabah family and the rest from leading merchant families, and it was chaired by the Crown Prince, Abdullah Al Salim Al Sabah (AL Adsani, 1939). The Council was weak in decision-making with no real authority. As a result, this Council faded away by itself, especially when its members started to withdraw from it one by one (Jamal, 2007).

The period from 1939, following the dismantling of both the elected and appointed councils, until the promulgation of the Constitution in 1962, was devoid of any attempts to institutionalise political participation. This was facilitated by the growing influence of oil wealth and the prospect of sharing this wealth, which created vested interests in the stability of the system. Nonetheless, the period witnessed the establishment of many civil associations in the form of social clubs, the rise of an Opposition group called the Kuwait Democratic League *Al Monathama Al Demoqratiyah Al Kuwaitiya*, in 1954, that included in its ranks workers, devout Muslims, intellectuals and artisans and the Islamic Guidance Society, in addition to a growing cooperation between Kuwaitis and Arab expatriates espousing the idea of Arab nationalism (Smith, 1999). This Opposition accused the Amir of “running Kuwait as a family fiefdom” (Rush, 1987:5). Also some merchant families joined the Opposition movement and tensions intensified further with the overthrow of the Iraqi monarchy in 1958 leading to a rise in anti-monarchist and anti-British feelings (Al Dai’en, 2012). The Amir first tolerated the Opposition but then he started to suppress it by banning, censoring and arresting its members (Crystal, 1990). Once again repressive mechanisms were used rather than attempts at consensus building or developing mechanisms to diffuse tensions and differences.

In summary, this first phase of structuring political participation in the pre independence period shows how fraught the process has been and how contentious the relation between the ruling family and the four councils was. Nonetheless, the discussion also shows the important point about the level of political awareness of Kuwaitis from early on concerning their right to share in political power. This could be attributed to the fact that Al Sabah were chosen as the ruling family and were not imposed, so leading merchant families and tribal leaders perceive an equal role for themselves in running the affairs of their Emirate. Despite that, Al Sabah

succeeded in limiting the influence of these councils and subsequently consolidated their power in a manner that separates them and puts them above any other social group. Additionally, Britain supported the authoritarian rule of Al Sabah in order to secure its presence and interests in the Gulf region indicating clearly the influence of transnational and international engagement (external factors) on the process of democracy. The following section moves the discussion to the second phase in structuring the relation between state and political institutions in the post-independence period.

### **3.3.2 The Post-Independence Parliamentary Form of Participation**

The roots of institutionalising a representative form of political participation through the election of a National Assembly came about through the efforts of Amir Abdallah Al Salim Al Sabah (r.1950-1965) (Crystal and Al Shayeji, 1998). The independence of Kuwait from Britain on 19 June 1961, as well as other major political changes in the Arab world: independence of most countries, superpower rivalry for regional supremacy, and Iraqi claims of sovereignty over Kuwait, forced the Amir to initiate top-down political reforms (Herb, 2016). Henceforth, the Amir decreed on 26 August 1961 the election of the Constituent Assembly *Al Majlis AL Tashri'ai*, which was given the responsibility to write a constitution and to act as a provisional legislative assembly (Al Dai'en, 2012). The elections to the assembly, which were free and fair, were held on 30 December 1961 (Jamal, 2007). Seventy-two candidates competed for the 20 elected seats. The majority of the elected members came from leading merchant families but also and significantly, three Bedouins and two Shi'ites were elected for the first time, in addition to one liberal nationalist, Ahmad Al Khatib, who became over the years a powerful opposition in the National Assembly (ibid.). In addition, the government appointed 11 members of Al Sabah, increasing the membership of the assembly to 31 (Assiri, 2007).

A dispute erupted while drafting the election law between the assembly's members and the government over the issue of the number of electoral districts. The draft law divided Kuwait into 20 districts according to government preference (Al Mershed, 2010). The number of electoral districts is very important in any election as it

reflects the composition and the demography of the districts and plays a role in the outcomes of the elections. The government insisted on dividing Kuwait into 20 electoral districts while the opposition sought to make Kuwait one single district (ibid). The opposition argued such a division would be fairer, more representative, and suitable for a small country like Kuwait, with its small population (Al Dai'en, 2012). In addition, a single district would unite the Kuwaiti citizens and protect Kuwait from fragmentation along tribal, familial and sectarian divisions. The government, for its part, argued that Kuwait was still in the beginning of its political experience with elections and that dividing it into 20 districts would facilitate monitoring and organising the elections (Al Mershed, 2010).

The government's insistence on doing so suggests its intentions to skew the outcomes of the elections in its favour and to create a pro-governmental assembly by inserting loyal supporters into the legislative, thereby guaranteeing itself the majority of votes. Eventually, Amir Abdullah withdrew the original law and a compromise was reached. The Amir approved issuing, Law No. 25 for the year 1961 in which, Article (1) stipulated that Kuwait would be divided into 10 districts, with 5 elected MPs for each district. Article (9) restricted voting eligibility to males of 21 years old and above; Article (12) excluded from voting non-native Kuwaitis, naturalized citizens, members of police and armed forces, and women (KTS, 2008). This law served as the legal framework for the elections of 1963, 1971, 1973 and 1975. It was amended three times, the first, before the 1981 elections in order to control the composition of the National Assembly. The latter amendments of 2006 and 2012 shall be discussed in Chapters Five and Six respectively.

The draft constitution, with its 183 articles, was ratified by the Amir on 12 November 1962 and went into effect on 29 January 1963 with the first elections to the National Assembly (Al Najjar, 2000a). The promulgation of the 1962 Constitution signalled the start of an arduous process endeavouring to formalise and institutionalise political participation. Article (6) of the Constitution describes Kuwait's system of government as "democratic; sovereignty is vested in the Nation as the source of all authority", yet Article (4) defines Kuwait as a hereditary Amirate and hands the Amir the ultimate power over both the executive and the legislative. Article (52) stipulates that the executive is invested in the Amir while Article (107)

stipulates that he may, by decree, dissolve the national assembly. Moreover, the Amir is immune and his person is inviolable in accordance to Article (54).

Jacqueline Ismael (1993) suggests that the National Assembly was “envisioned as a rubber stamp” for policies set forth by the ruling class as embodied in the executive. However, the National Assembly emerged with a stronger spirit of independence than its architects envisioned. This can partly explain the fraught relation that the National Assembly had over the years with Al Sabah, and the inability of the system, as envisioned in the Constitution, to develop a stable and effective legislative branch and hence promote the institutionalisation of democracy in the country. The other factor relates directly to the stipulation of Article (107) of the Constitution that gives the Amir the ultimate power and also stipulates the assignment of the key executive posts to Al Sabah family. Under these circumstances the process itself is legally bound and heavily skewed allowing for the tug of war between the elected assembly and Al Sabah ruling family.

As the following discussion of the successive national assemblies of (1963-1990) demonstrates, there have been two competing visions of what this assembly is meant to be and achieve. Kuwaitis saw it as the political institution that symbolises their share in power and gives them a right to fulfil their constitutional obligations and be part of the decision-making process. Al Sabah, as argued by Crystal, saw its role as a mean to “reinforce the division in the Kuwaiti politics between the ruling family and the rest of the people in which the right to rule and the highest posts were kept for Al Sabah whereas the assembly was open for everyone else” (Crystal, 1990:85). The discussion indicates that Al Sabah used their ultimate power of dissolving the assembly to impose their vision and by doing so they have undermined this experiment and stunted the development of what could have become a very effective institution for the functioning of a more democratic political system.

The literature on democracy acknowledges the crucial fact that state domination over society undermines the possibility of transition to democracy. In a further example of this, some of the tactics and strategies used during the elections increased and augmented Kuwaitis segmented identities and loyalties and increased sectarian tensions in order to enhance the power and the relevance of Al Sabah as

the unifier among these diverse cleavages. And by doing so Al Sabah have in effect undermined opposition politics and the legislative arm of the state by segmenting political agendas of the various groups to reflect limited interests. Thus making the political process excessively partisan and parochial resulting in hindering the development of national unity; a significant precondition to democratisation as identified in Potter's (1997) scheme. The next section reveals the impact of this on the process of democratisation and the prevalent political culture.

### **3.4 The Successive National Assemblies 1963-1990**

The discussion of the successive national assemblies during the period 1963-1990 is necessary in order to examine the relation between the state and this important political institution for transition to democracy. For Potter's (1997) scheme, this relation is a significant indicator of whether the country is institutionalising democratic practices and establishing mechanisms for cooperation between executive and legislative bodies or if the ruling family is manipulating these aspects that denote the presence of a democratic system, such as regular parliamentary elections, for regime maintenance. The discussion also reveals the strength of/or lack of civil society in countering the executive power, another significant indicator in Potter's (1997) scheme. The following analysis traces the development of the political participation by examining each National Assembly separately, and then draws a conclusion about the democratic process during this period.

#### **1. The First National Assembly 1963-1965**

The first elected National Assembly on 23 January 1963 set the tone for the relationship between this nascent political institution and Al Sabah. Despite the fact that this was Kuwait's first experience with general elections, the level of participation (voter turnout standing at 85 per cent) showed voters' enthusiasm towards the process and their general enthusiasm for political participation but the number of voters was limited to 16,889 voters (see Table 3.2).

**Table 3.2: Political Participation in the First National Assembly 1963**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible voters</i>	<i>Number of Voters</i>
23 January 1963	10	205	16889	14335

Source: MOI, 2017

The assembly was proactive and some of its members were robust critics of the government's economic policies as well as foreign policy (Al Shuaibi, 2013). However, it witnessed only two interpellations, one of which was addressed to a minister who was a member of the royal family (Rush, 1987). Both interpellations did not affect any kind of accountability; since the first was withdrawn and the second was a mere discussion of the issue, see Table 3.3.

**Table 3.3: Interpellations in the First National Assembly 1963**

<i>Number of Interpellations</i>	<i>MPs that Presented the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Mohammed Al Rasheed  4 June 1963	Minister of Social Affairs  Abdullah Al Roudhan	The Interpellation was withdrawn.
2	Rashed Al Tawheed  22 February 1964	Minister of Electricity and Water  Sheikh Jaber Al Ali Al Salim Al Sabah	The discussion of the interpellation took place.

Source: KNA, 2016

Despite this limited ability to hold the government accountable, the Amir, Sheikh Sabah III, who feared this emerging power, launched a campaign to discredit the assembly claiming that “it was a campaign to protect Kuwait from riots and to protect the ruling family position”(Crystal 1990: 85). The Minister of Interior and Defence, Sheikh Saad Al Abdullah, also joined the Amir in his campaign to ‘save’ Kuwait. In his public address, he argued that “the government was very lenient in

the past ... (but) now ...finds itself compelled to strike with iron for maintaining peace and order so that our people can live in happiness” (Crystal 1990: 85). Other repressive measures were also taken such as tightening public freedoms and civil rights, limiting the registration of clubs and associations as well as closing down many publications (Crystal, 1990). The tension was heightened when the Amir imposed restrictions on the local press and closed down two newspapers and also expelled many expatriates from the country (Jamal, 2007). Consequently eight progressive members of the assembly resigned followed by the resignation of the chairman of the assembly (Rush, 1987). Subsequently, eight pro-governmental MPs were elected to replace those who had resigned (Al Shuaibi, 2015).

The above restrictions and imposition of control over the First National Assembly, together with limitations on civil society organisations and the media left Kuwait at this juncture with both a non-independent national assembly and a civil society that suffered from the state’s intrusion. However, the mere introduction of elections and the creation of the National Assembly can be regarded as positive developments towards democratisation from the point of view of Potter’s (1997) scheme, despite the preponderance of the state.

## **2. The Second National Assembly 1967-1970**

In his determination to avoid a similar strong assembly, the Amir used two main strategies to ensure a more pliant assembly for the second round of parliamentary elections. As mentioned earlier, “Al Sabah had been involved in a process of incorporating tribes as political allies in order to widen the loyal base of their rule and to use them as a counter force for the Opposition” (Crystal, 1990: 88). The tribes were already offered citizenship in return for joining the army and the police (Fadalah, 2012). The government’s attention to the tribes now shifted to ensuring “electoral loyalty and a process of political re-tribalisation commenced” (Crystal, 1990: 88). This process required the tribes to run candidates for the assembly, who were first elected through tribal primaries (Al Fadalah, 2010). The Amir’s second strategy focused on the “breaking down of the clan loyalties by replacing them with smaller family loyalties and another larger tribal loyalty” (Crystal, 1990: 89). Subsequently, the elections manifested their rising electoral power and the alienation of the Opposition.

The election held on 25 January 1967 was contested by 222 candidates, eligible voters increased significantly by 59 per cent to reach 26,796, however, voter turnout was 66 per cent, a huge reduction from the 85 per cent turnout of the previous assembly, see Table 3.4. As a result of the machinations described above, the presence of a progressive opposition was reduced to only four members, but they were very vocal with their protestations that the election was fraudulent and not representative of the citizens (Assiri, 2007).

**Table 3.4: Political Participation in the Second National Assembly 1967**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>
25 January 1967	10	222	26796	17590

Source : MOI, 2017

Anger spread in Kuwait as it transpired that these protesting members were correct and the election had not been transparent, and cases of fraudulent behaviour, ballot stuffing and miscounting in favour of government candidates occurred (Jamal, 2007). Thirty-eight candidates signed a petition arguing that the government had forged the elections (Al Shuaibi, 2011). Moreover, seven elected members boycotted the assembly's sessions in protest (Al Dai'en, 2012). The assembly subsequently remained weak and had no real active role or any impact on the political process throughout its term, witnessing only one interpellation, which ended up being withdrawn (see Table 3.4). The year 1967 was labelled as *Senat Al Tazweer*, meaning the 'year of fraud' due to the interferences of the government in the election (ibid.).



**Table 3.5: Interpellations in the Second National Assembly 1967**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Sulaiman Al Douwaikh Hamad Al Ayaar Nasser Al Osaimi  3 November 1968	Minister of Justice  Khalid Aljassar	Some of the MPs requested forming a committee to investigate the issues that were discussed during the interpellation. However, no agreement was reached so the interpellation was withdrawn

Source: KNA, 2016

The government's blatant interference and manipulation of the divisions in the Kuwaiti society was intended to limit the constitutional role and the effectiveness of the assembly as a counter balance to executive power. Thus the actions of the ruling family were pushing Kuwait further away from institutionalising democracy while at the same time appearing as champions of democracy by allowing elections to take place.

### **3. The Third National Assembly 1971-1975**

Due to the weakened position of the previous assembly, as a result of government interferences, the election to the Third Assembly held on 23 January 1971 had a lower number of candidates standing at only 183 (Al Shuaibi, 2011). Despite the fact that eligible voter numbers were much higher than previous elections, increasing by 50 per cent and standing at 40,246, only 20,785 voted, so the turnout was lower, at 51 per cent (see Table 3.6). Assiri argues, "the low number of voters is related to their anger at the government's meddling in the previous elections of 1967, and being hesitant that the government may once again interfere and manipulate the elections" (2007:137).

**Table 3.6: Political Participation in the Third National Assembly 1971**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>

23 January 1971	10	183	40246	20785
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Source: MOI, 2017

Two major interrelated regional events took place during the term of this assembly, the Arab-Israeli war, October 1973, and the subsequent quadrupling of oil prices as a result of the Arab embargo in response to the support America and the West offered Israel in the war. The price of oil between October 1973 and January 1974 increased fourfold from 3 USD to 12 USD (The Guardian, 2011). This sudden and massive increase in oil price provided Al Sabah with further financial independence and an opportunity to achieve greater economic prosperity, changing the whole dynamics of the Arab region, shifting the economic and political importance to Saudi Arabia and the rest of the Gulf states, ushering a new era earmarked by the dominance of oil as the major factor that underpinned Arab Gulf States and the politics of the region.

In the meantime, to ensure control over the results of election, the government passed a law amending the electoral law, which resulted in some gerrymandering by reconfiguring some of the districts to the benefit of certain social groups, in particular, the tribes (Al Dai'en, 2012). The assembly witnessed three major interpellations that focused on the economy and oil revenues through twice questioning the Minister of Finance and Oil, on the first occasion the assembly only discussed the issue while on the second and third occasions the ministers survived the vote of no confidence, attesting to the influence of the government in the assembly, see Table 3.7.

***Table 3.7 Interpellations in the Third National Assembly of 1971***

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Khalid Al Fouhaid	Minister of Finance and Oil	The discussion of the interpellation took place but no decision was made

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
	8 December 1973	Abdulahman Salim Alateeqi	
2	Sami Al Monias Abdullah Al Naibari Ali Thounayan Al Qanim 19 March 1974	Minister of Commerce and Industry  Khalid Soulaïman Al Adsani	The discussion of the interpellation took place and a request for a vote of no confidence was presented but the minister survived the vote: 13 voted for and 20 refrained. 33 MPs were in attendance
3	Adbullah Al Naibari Ahmad Al Nafisi Salim Al Marzooq 21 May 1974	Minister of Finance and Oil  Abdulahman Salim Alateeqi	The discussion of the interpellation took place and a vote of no confidence was presented but the minister survived the vote: 19 for, 1 against and 13 refrained. 33 MPS were in attendance.

*Source: KNA, 2016.*

The relation between this assembly and government continued in a similar vein to the previous assemblies with the influence of the executive far exceeding the power of the assembly to counterbalance it effectively.

#### **4. The Fourth National Assembly 1975-1976**

The Fourth Assembly was elected on 27 January 1975. Voter turnout was 60 per cent and with a much lower number of registered voters, standing at 31,848 and number of candidates at 255, exceedingly low in comparison with the previous assembly, as seen in Table 3.8. This assembly lasted a year and a half only. Even though the assembly did not witness any interpellations, its members were vocal and focused on arguing significant matters such as press laws, oil treaties, stock market regulations, financial planning, price controls and state corruption (KNA, 2015b). Most importantly, the assembly was unflinchingly vocal in criticising the Amir and his family (Assiri, 2007). In addition, the assembly had strong ties with opposition forces outside Kuwait in countries such as Oman, Bahrain and Palestine, which embarrassed the Kuwaiti government and affected its relation with many countries (Crystal, 1990). Crystal points out that Saudi Arabia might have also played a role in the dissolution of the assembly due to “their opposition to the very concept of parliamentary democracy” (Crystal, 1990:89). The Saudis “consistently

have urged Kuwaiti rulers to crack down on their opponents” because they are afraid of its impact on their own country (Tétreault, 2000:92).

***Table 3.8: Political Participation in the Fourth National Assembly 1975***

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>
27 January 1975	10	255	52993	31848

*Source: MOI, 2017*

On 29 August 1976, the Amir used his constitutional power to dissolve the assembly unconstitutionally as its suspension lasted over four and a half years (KNA, 2015b). Although Article (107) of the Constitution gives the Amir the power to dissolve the assembly by decree in which the reasons for dissolution are indicated, he is bound to hold the election for the new assembly within a period not exceeding two months from the date of dissolution. If the election is not held within the said period, the dissolved assembly shall be restored to its full constitutional authority and shall meet immediately as if the dissolution had not taken place.

The imbalance in the relation between the Amir and the assembly is evident in the fact that the dissolution lasted over four years and assembly members did not use their constitutional right to meet “as if the dissolution did not take place”. This is an indication that either the assembly was too weak or too fearful to exercise what was rightfully given to it by the Constitution in the face of Al Sabah. However, the Amir fulfilled his constitutional obligation by providing four reasons to justify the suspension of the assembly. Firstly, he put forward procedural criticisms, such as the delay in issuing and implementing laws within an appropriate period of time, and wasting the time of the assembly through debating marginal issues and attacking the ministers. Secondly, the Amir claimed that members of the assembly were putting their own interests above the interest of the country whilst using their

positions for personal benefits. Thirdly, he pointed to the critical conditions that the Gulf region was going through and which needed to be urgently addressed. Lastly, he suggested, “Kuwait needs a democratic system derived from its own tradition and heritage.” (Assiri, 2007:129).

In addition to dismissing the assembly, the Amir suspended some of the provisions of the Constitution, in particular four articles relating to political and civil rights and closed down five newspapers, and dissolved the councils of five public associations that had issued a declaration against the Amir, including the Teachers Association, Writers Association, Independent Club or *Istiqlal Club*, Press Association and Lawyers Association (Al Mdaires, 2010). These repressive measures were meant to weaken and silence the Opposition and restrict political and civil rights and freedoms. The result was four years and a half of a complete absence of institutionalised political participation.

Due to the absence of the assembly, the Opposition turned to mosques as an alternative venue for expressing their political demands. For example, members of the Opposition held frequent meetings at a Shi’a mosque the *Al Sahaba’an* where the liberal opposition leader, Ahmad Al Khatib called for the restoration of the democratic system in Kuwait (Al Mdaires, 1999). Subsequently the *Imam* of the mosque, Abbas Al Mahri, was deprived of his Kuwaiti citizenship along with eighteen members of his family, after which they were all deported to Iran, however, after the 1990 Gulf War, they were given back their citizenship (Al Shuaibi, 2013). Such repressive measures combined with the lengthy absence of the National Assembly aimed at weakening and silencing the Opposition. Anti-democratic influences from outside Kuwait’s borders especially from Saudi Arabia have had an impact too. The Saudis expressed active support for the Amir’s repressive posture towards the Opposition, as the Saudi regime was afraid that the successful establishment of an independent National Assembly would trigger demands for similar changes within Saudi Arabia itself (Crystal, 1990).

Saudi Arabia’s attitudes and perceptions have had a negative impact on the promotion of democratic values in Kuwait and other Gulf Monarchies. Conversely, as Anoush Ehteshami (2003: 57) argues in his evaluation of the impact of the Iranian revolution, apart from “exporting its Islamic revolution” Tehran was in the

1980s a model for “political reforms,” and therefore the revolution was regarded as a threat to the traditional tribal rulers of the Gulf monarchies. According to Falah Al Mdaires (2010), the Iranian revolution affected “the internal political situation of Kuwait” in a manner that encouraged Sheikh Jaber to restore the National Assembly. Thus in an unexpected move, the government declared that elections to the Fifth National Assembly would be held on 23 February 1981 (Jamal, 2003). Such action indicates that under certain circumstances a return to even the semblance of democracy can be a better protection to the regime than the mere dependency on repressive means. The disparate influences on Kuwait, Saudi Arabia on the one hand and Iran on the other, attests to Potter’s (1997) emphasis on the impact of transnational AND international engagement as either hindering or promoting the process of democracy. In this instance, because of events in Iran, the Amir chose to open up the political system and return to parliamentary life, albeit after the Amir used two tactics to ensure a pliable assembly as the following discussion shows.

## **5. The Fifth National Assembly 1981-1985**

Four and a half years after the suspension of the Fourth National Assembly, the fifth elections were held on 23 February 1981. The number of candidates was much higher than usual at 447 and voter turnout was at its highest, at around ninety percent of the total registered of 42,005, quite a jump from the previous election, see Table 3.9. Prior to the elections, Sheikh Jaber used two tactics to manipulate and influence the outcomes of the elections. The Amir’s first tactic involved forming a commission to amend the electoral Law No (25) of the year 1961 and alter the number of the constituencies from ten to twenty-five and decrease the number of representative/candidates of each district from five to two only (Crystal, 1990). The second tactic was to offer large numbers of Bedouins who were migrating from Saudi Arabia to Kuwait, first-category citizenship, in order to make them eligible to vote and run for office (Al Fadal, 2012). Mary Ann Tétreault (2000:105) observed that the new “voters were geographically concentrated...[as] a result of intentional and epiphenomenal settlement patterns that have produced significant, though far from universal, residential segregation in Kuwait, not only by tribe but also by sect, income group, age cohort, nationality, and marital status”. The amendment of the electoral law was a top-down measure aimed at weakening

the electoral chances of the “liberal and left opposition and reduce the size of other voting blocs such as urban, Shi’i and larger tribes, though not of the tribes *per se* while simultaneously consolidating Al Sabah control over the assembly.”(Tétreault, 2000:172).

**Table 3.9: Political Participation in Fifth National Assembly 1981**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>
23 February 1981	25	447	42005	37689

Source: MOI, 2017

The amendment directly affected the composition of the assembly by producing a Sunni religious conservative body of legislators. Tribal forces won 27 seats while the liberals lost heavily. Once again accusations of government interference appeared, as had been the case in the 1967 elections (Crystal, 1990). The emerging conservative Islamist composition of the assembly consisted of two main streams of Sunni Muslims: the *Al Ikhwan Al Mosalemain* (Muslim Brotherhood) of the Social Reform Society (SRS) *Jame'yat Al Eslah Al Ejtemai'i* and the Salafiyyin of the Islamic Heritage Society *Jame'yat Al Torath Al Islami* (IHS) (Al Mdaires, 2010).

Both the Muslim Brotherhood and the Salafiyyin had a radical religious agenda focused on social and religious issues. They worked against women suffrage, passed a bill restricting naturalisation to only Muslims. Furthermore, in 1982 they moved to tighten public freedoms and called for banning Christmas celebrations, and had a proposal to force Kuwaiti women to wear the veil (Al Mdaires, 2010). In 1983 they also banned alcohol for the diplomatic community (Crystal, 1990). In addition, they spread their power and their ideas outside the assembly; they won the elections of the Student Union, Teacher’s Association, half of the Cooperative Councils (Kuwaiti subsidised supermarkets) and dominated the Municipality Council and many other clubs (ibid.).

More than that, the conservative Sunni Islamists were persistent in their demand for a change to Article (2) of the Constitution, which the government was not in favour. The article states that *Shari'a* (Islamic law) is a one of the sources of Kuwaiti legislation (law), the Islamists wanted a change in which the *Shari'a* would become the one and only main fundamental source of law instead of being one of the sources of legislation and law (Al Mdiar, 2010). The *Shi'i* did not support their Sunni counterparts in this proposal. T  treault attributes the Shi'a refusal to change Article (2) to the fact that the Shi'a are a "minority group and the likelihood that any interpretation of *Shari'a* chosen to guide Kuwaiti law would discriminate against their tradition" (2000: 58).

This assembly was highly controversial as a result of the amendment of the election law and the gerrymandering of the electoral districts that produced a more conservative assembly dominated by Islamists and tribal forces. The assembly engaged unsuccessfully in three marginal interpellations as two of the interpellations were withdrawn while the third was dismissed, as seen in Table 3.10. The ineffectiveness of this assembly, due primarily to its focus on a religious agenda, becomes more glaring when one takes into account that little discussion took place during its term of one of the major economic crises of the country, namely, the collapse of Souq al Manakh; the technically illegal and unofficial stock market. One reason could be that Souq al Manakh was dominated by several older wealthy Kuwaiti families who themselves had strong influence on the assembly and government policy and/or the nature of the composition of the assembly and its religious agenda. This stock market emerged after the small crash of the official market in 1977 when the government, after bailing out the affected investors introduced stricter regulations. With oil revenues at their highest, new found wealth flooded the market creating a new appetite for investment that led to unofficial trading to what became known as Souq al Manakh. (SOURCE)

**Table 3.10: Interpellations in the Fifth National Assembly 1981**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Khalifa Al Jeri	Minister of Health	The Minister refused giving any information therefore the Legislative Committee in the



	27 January 1982	Abdulrahman Al Awadhi	assembly sent a report about the interpellation's main issues to the Constitutional Court. The Court decided that the assembly keep the report and that the topic of the interpellation was over
2	Mishari Al Anjeri Khalid Al Sultan Khalid Al Joumai'an 30 November 1983	Minister of Social Affairs  Hamed Al Roujaib	The interpellation was withdrawn by the MPs who requested it and the assembly accepted their request on 20 December 1983
3	Ahmad Al Tokhiam 1 May 1984	Minister of Electricity and Water  Khalaf Al Khalaf	The interpellation was withdrawn by the MP who requested it and the assembly accepted his request

*Source: KNA,2016*

In August 1982, the bubble burst when a dealer presented a post-dated cheque that bounced (Hijazi, 1982). By September, the Ministry of Finance shut down the Souq and its investigation revealed a value of worthless outstanding checks of 94 billion USD (Lewis, 1983). Consequently, the government devised a complicated set of policies embodied in the Difficult Credit Facilities Resettlement Programme. The implementation of the programme was still incomplete in 1990 when Iraq invaded Kuwait. The repercussions of this collapse reverberated across the Gulf region and the whole banking system in Kuwait. The debts left all banks in Kuwait insolvent except one bank, the National Bank of Kuwait, which survived intact. The government had to bail these banks out too, setting a precedent that many traders, investors and consumers expect the government to do in times of crisis (ibid.)

Such prevalent attitudes expose the dichotomy of the society; economic dependency on the state on the one hand while simultaneously aspiring for political control and power and a larger role in decision-making process. This financial turmoil coupled with the prolonged Iran-Iraq war and the deepening of sectarian tensions in Kuwait and the entire Gulf region caused high levels of apprehension and anxiety. Consequently, the government, in its desire to limit the Islamist control of the assembly, supported the secular and liberals against the Islamists in the following election; a classical example of the shifting patronage to different political groupings in accordance to the needs of regime maintenance.

## 6. The Sixth National Assembly 1985-1986

The election for the Sixth Assembly was held on 20 February 1985 with a huge reduction in the number of candidates, from the high 447 of the previous election to 231 candidates; however, voter turnout was high, at just over 85 per cent of the number of registered voters of 48,368 (see Table 3.11).

**Table 3.11: Political Participation in the Sixth National Assembly 1985**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>
20 February 1985	25	231	56848	48368

*Source: MOI, 2017*

The results of the elections returned the progressive Democratic bloc led by Ahmad Al khatib with a total of thirteen seats. To limit the influence of the Islamists the government backed Al Khatib, who lost his seat in the 1981 election (Crystal, 1990). The Islamists were reduced to six seats while the Shi'a won four seats and the tribal representatives won twenty-one seats (Al Mdaires, 1999). This assembly was very vocal as the adverse and costly financial and economic consequences of the collapse of the Souq al Manakh became more evident. Debates over its collapse became more pointed at the government. Also as a consequence of the collapse, the assembly actively sought to fight corruption on many fronts. It declined many governmental projects, compelled the Minister of Justice to resign, opening the doors to the questioning of the Minister of Oil and forcing his resignation, which was rejected by the government (KNA, 2015b).

The assembly requested the dismissal of both the Minister of Interior and Minister of Oil many times. Al Sabah during this critical time of the Iran-Iraq war were

highly concerned with Kuwait's internal security and demanded that Kuwaitis show national solidarity and more attention to this external threat than to the internal issues with which the assembly was concerned about, especially the questioning of ministers and the criticism of the ruling family (Assiri, 2007). The assembly witnessed 5 interpellations; the interpellation of the Minister of Justice and Awqaf was withdrawn as the minister resigned while the rest of the interpellations were presented in the same day and were not discussed due to the dissolution of the assembly, see Table 3.12.

**Table 3.12: Interpellations in the Sixth National Assembly 1985**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
<b>1</b>	Mubarak Al Douwailah Hamed Al Joua'an Dr. Ahmad Al Rubai  16 April 1985	Minister of Justice and Awqaf Salman Aldouaij Al Sabah	The interpellation was discussed and a vote of no confidence was requested. However, the minister resigned
<b>2</b>	Mohammed Al Morshed Faisal Al Sane'i Ahmad Baqer  24 June 1986	Minister of Transport Eissa Al Mazidi	The interpellation was not discussed because the assembly was dissolved on 2 July 1986
<b>3</b>	Khamees Oqab Sami Al Monais  24 June 1986	Minister of Finance Jasem Al Khorafi	The interpellation was not discussed because the assembly was dissolved on 2 July 1986
<b>4</b>	Mishari Al Anjiri Abdullah Al Nafisi Jasem Al Qatami  24 June 1986	Minister of Oil and Industry Sheikh Ali Al Khalifa Al Sabah	The interpellation was not discussed because the assembly was dissolved on 2 July 1986

5	Rashed Al Johailan Ahmad Al Shourai'an  1 July 1986	Minister of Education  Dr. Hassan Al Ebrahim	The interpellation was not discussed because the assembly was dissolved on 2 July 1986
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Source : KNA, 2016

The request of four interpellations on the same day caused a tense political atmosphere in June 1986 and the Amir consequently dissolved the assembly and called for communication with the public via the ministers and the *diwaniyyas* arguing that those “institutions are more representative of citizens than the assembly” (Tétreault, 2000: 67). This shift to the informal gathering of the *diwaniyya as a substitutive* to the constitutionally guaranteed elected representative of the people is a clear sign of Al Sabah’s unwillingness to share power and unwillingness to allow the MPS to carry out their duties as stipulated in the Constitution.

The term *diwaniyya* refers to an informal gathering of family and friends that takes place in private houses but is a quasi-public event because “outsiders” attend regularly in order to discuss different issues and the daily concerns of Kuwaitis. Several scholars; Neil Hicks & Ghanim Al-Najjar (in Norton, 1995) and Tetreault (2011), denote the *diwaniyya* as part of Kuwaiti civil society due to the role it plays during elections as candidates cannot run for office or win without visiting the *diwaniyyas* in their local districts, where they can meet with the voters, present their electoral agenda and discuss their main concerns. Its importance increased during times of assembly suspension especially this latest one, as it became the main access route to the authorities as well as the place to debate and air opinions on political, economic and social issues. Thus the Amir’s move to restrict political participation to the *diwaniyyas* did not stifle dissent. Dahim Al Qahtani (Journalist), observes that “from a positive point of view, I would say that it led to the organising of political blocs and to confronting the one-man rule.... Monday’s *dawaween* enabled also the flourishing of youth’s political role” (Interview, 2013).

This traditional gathering place, by creating a space for political debate, became a source of bottom-up pressures for reforms. As emphasised by Potter (1997) and Niblock (2005), civil society institutions are significant conduits for democratisation and the *diwaniyyas* in Kuwait became such a conduit, especially in the absence of the National Assembly. This retreat from the constitutional institution and reverting to the traditional meeting place of '*diwaniyya*' angered many Kuwaitis and increased the tension between state and society. Hamad Al Abdullah (assistant professor at Kuwait University) assesses the impact of the suspension of the Sixth National Assembly as follows:

The suspension has a very negative impact on Kuwait's political life: firstly, it makes the articles of the constitution idle, secondly it makes the legislative branch of the state idle also, and thirdly it maintains the upper hand of the executive branch while keeping the public and the parliament absent. More importantly during such periods of suspensions we have a one –man rule and one man makes all the decisions (Interview, 2013).

Al Abdullah elaborates further on how the suspensions of the elected assemblies limits the ability of the people to monitor the government's performance and holding it accountable, commenting that

We have already seen what that led to. It led the government to making many mistakes, to corruption, to mismanagement of public funds and finally we were invaded by Iraq in 1990. In addition, it led to widespread frustration among people when their freedoms were restricted, besides issuing the law of banning public gatherings and meetings. I believe that such suspensions also lead to consolidating opposition and increasing public pressure and demands for bringing more political reforms (Interview, 2013).

The assembly remained absent until the government was forced to respond to mounting bottom-up pressure and popular demands to restore the assembly and return to constitutional life. However, the Amir responded to these pressures not by reinstating the National Assembly but by establishing instead *Al Majlis Al-Watani* National Council, a consultative body, which was interrupted in 1990 due to the Iraqi Occupation of Kuwait (Al Jasim, 1992).

## **7. The National Council *Al Majlis Al Watani* 1990**

The importance of discussing the creation of *Al-Majlis Al-Watani* in 1990, despite its very short life (two months) lies in the fact that it exposed the ruling family's determination to prevent a return to the stipulations of the Constitution, thus demonstrating astounding reluctance to relinquish their absolute control on the process of government and decision-making. Ironically the pressure that was mounting on Al Sabah to restore the National Assembly came mostly from the *diwaniyyas* which the Amir, Sheikh Jaber, identified as a legitimate source of political activism, as indicated above. The Opposition used their weekly gatherings in the *diwaniyyas* effectively, thus successfully mobilising Kuwaitis to support the demand for the restoration of the National Assembly. Their efforts had resulted in a petition signed by 30,000 Kuwaiti citizens, approximately 48 per cent of the citizens who are eligible to vote and run for the office (Assiri, 2007). Sheikh Jaber accused his opponents of "being provocative and irresponsible"; the Opposition responded by criticising the government, defending their strategy of mobilising large numbers of citizens to make public demands on the Amir as the only way to reinstate the Constitution and the parliament (Tétreault, 2000: 76).

Eventually, the government represented by the Crown Prince and the Prime Minister, had to respond to the mounting pressure and called for a national dialogue with prominent Kuwaiti figures to avoid the escalation of an already tense situation (Assiri, 2007). Subsequently, Sheikh Jaber called for the election of a new council calling it *Al Majlis Al Watani* (Al Mdaires, 1996). The Council was composed of fifty elected representatives, while Sheikh Jaber appointed an additional twenty-five members (Karam, 1995). Thus it was an assembly, which had integrated both mechanisms of election and appointment in order for Al Sabah to have more control over it.

Sheikh Jaber set the agenda for the council by making it a consultative body, empowered only to offer advice and appraise Kuwaiti's previous experience with elected representation. The Amiri decree stated specifically that it was "designed for a transitional period during which it will have a special assignment of evaluating the country's previous parliamentary experience and proposing controls for the future parliamentary process so as to avert a third crisis" (Assiri, 2007:131). Muhammed Al Jasim, however, suggests that the National Council was a strategy used by the government to escape mounting public pressure and as a substitute for

the National Assembly by advocating that “this would be the best substitute for the citizens instead of the National Assembly” (1992:104).

The Opposition showed its disapproval of what they saw as the Amir’s cosmetic reform and encouraged the people not to run or vote for the Council (Jamal, 2007). Consequently, Sheikh Jaber ordered the police to arrest and detain some individuals who were active in this opposition (Karam, 1995). However, this action angered many Kuwaitis and he was forced to release them. The press remained under censorship and the government pursued its plans to recruit candidates to run for the Council (Assiri, 2007). The government claimed voter turnout was 60 per cent of eligible voters while the opposition refuted this and insisted voter turnout was as low as 40 per cent and that the government had inflated the number to give some legitimacy to the newly established Council (Karam, 1995). The official numbers, as seen in Table 3.13, indicate that the number of eligible voters was over 62 thousand, a huge jump from previous elections, while the number of those who voted was around 39 thousand approximating the declared 60 per cent voters’ turnout that was claimed by the government (Assiri,2007).

***Table 3.13: Political Participation in the National Council 1990***

<i>Date of Election</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Number of Voters</i>
10 June 1990	348	62123	38683

*Source: (Assiri, 2007)*

Assiri suggested that the larger numbers of voters came from external districts (outside Kuwait city) while the number of voters from the internal areas (the Kuwait city) was low (2007: 103). Furthermore, he indicates that those who voted might have been forced to vote in order to avoid the wrath of the government. However, in less than two months, this highly contested move by the government came to an

abrupt end when the Iraqi President Saddam Husain invaded Kuwait on 2 August 1990.

To summarise, the discussion above of the five assemblies elected during the period 1963-1985 indicate the difficulties the elected assemblies faced in sharing political power with Al Sabah and in becoming an effective legislative arm of the state. These difficulties stem from the fact that Al Sabah succeeded in creating structures of segmentation and divisions that made it much harder for a unified national agenda to emerge and press for reforms. These diverse segments pushed for their own parochial interests and concerns and as such guaranteed that Al Sabah remained the only unifying force, maintaining dominance over both the economic and political processes. Moreover, Al Sabah resorted to manipulations and ploys to affect the outcome of elections and the composition of the National Assembly to suit the needs of the ruling elites. But that did not stifle the Opposition or silence the National Assembly and hence the need remained, on some occasions, to use their ultimate power by dissolving the National Assembly twice during this period.

Nonetheless, the discussion showed also that Al Sabah despite their immense power could not always ignore bottom-up pressures or depend solely on repressive measures and means to secure regime survival, as indicated by the establishment of the National Council of 1990. Although that fell short of the demands of Kuwaitis for a return to the National Assembly, the move was an appeasement to the people and gave the semblance of support to peoples' need to participate in the decision-making process. As Potter (1997) and Diamond (1992) indicate that for democratisation to take root a shift away from the dominance of the state over society must occur. In this sense, one can conclude that by 1991, the situation in Kuwait can be best described as a constant tug of war between the National Assembly and a very strong state dominated by Al Sabah family.

### **3.5 Conclusion**

Several conclusions can be made taking into consideration both Potter's (1997) conceptual scheme and Dahl's (1971) definition of democracy. As can be noted from above, Kuwait on one level fulfilled Dahl's interpretation of what democracy



means: participation, contestation, and civil and political liberties. Nonetheless, these existed in a restricted and heavily controlled form leading sometimes to total suppression of these three elements. Therefore this period can be described as an attempt to institutionalise democratic practices but ended up creating a political system that suffers from stagnation and impasse with a highly contentious relation between state and society, specifically between Al Sabah and the National Assembly.

In regards to Potter's (1997) scheme, while none of his six prerequisites seemed to present themselves unambiguously in Kuwait, the evolution of the system showed that these factors were essentially present at some level and operating, but not necessarily in the exact fashion suggested by Potter (1997). For instance economic development, a strong trigger for democracy had a dual conflicting effect, on the one hand, consolidating the power of the regime while on the other hand creating a highly educated and urbanised society demanding reforms from below.

Societal divisions are considered an important precondition for democratisation as it creates opposing interests and concerns, which citizens eventually resolve through competing for elections, and where an overarching national identity unites them despite these differences. The Kuwaiti society prior to 1991 certainly presents a complex picture of segmented identities and divisions along tribal, citizenship/immigrant, sectarian religious (Shi'a/Sunni) and class lines. However, historically these divisions were fostered and manipulated by Al Sabah in order to divide and rule by pitting various groups against each other and thus maintaining their central and dominant position over society, and most importantly resulting in no single group being strong enough to challenge their rule. The national unity that Potter (1997) posits to bridge the various social forces and foster democratisation was not achieved in Kuwait on the eve of the Iraqi Occupation. Al Sabah had been extremely successful in their consolidation of these divisions to the detriment of the process of democratisation.

As for Potter's (1997) precondition concerning the institutional relation of state and political institutions, the establishment of Kuwait's National Assembly and the holding of the first elections in 1963 held the potential to be supportive of

democratisation and the development of a broader political culture that fosters democratic values and ideas. In theory, the institution of the assembly should have led to democracy through a change in the balance of power between the state and its citizens, devolving at least some power to the latter. However, the Amir retained ultimate authority in both the legislative and executive spheres, resulting in a system in which the legislature was unstable and ineffective, and unable to consolidate democratic processes in the functioning of the state.

The National Assembly was used by the regime to maintain its own rule, as manifested by the dismantlement of the assembly at key junctures when its members appeared working towards genuine independence or serious opposition to the regime. Having said this, however, the fact that conflict was so evident and so persistent across the post-independence period and up until 1990 suggests that some of the political forces that came into existence through this process were more robust than the ruling elites had anticipated. This is positive both in terms of the development of political institutions, and in its signalling of a certain level of political culture conducive to democratisation.

The importance of civil society in controlling the excess of the state and in promoting democracy is acknowledged in most of the literature concerning transitions to democracy (as discussed in Chapter Two) since without these bottom-up pressures, the state becomes too omnipotent. Kuwait experienced a flourishing of civil society associations pressing for a range of reforms in the system. However, their ability to mobilise and organise was curtailed by the state mechanisms of control and repression. In addition, the emergence of the National Assembly as the central political institution counter balancing the power of the state also undermined the role of CSOs as the Assembly became the focal point of political opposition. However, the *diwaniyya*, proved to be an effective mechanism for the continuation of democratising pressure from below by providing Kuwaitis as well as the Opposition with an outlet to debate important issues and demand reforms, especially during the lengthy period of the dissolution of the Fifth Assembly.

The presence of vocal opposition, the high levels of turnout at certain elections and the popularity of the *diwaniyya* indicated the existence of a nascent democratic political culture at some level in the society prior to 1991. Yet, as discussed,

political culture prior to the Iraqi Occupation was frequently subject to repressive strategies to suppress its spread beyond a certain limited sphere. On the other hand, the very existence of the National Assembly and its importance to Kuwait citizens as evidenced in their continuous support through engaging in the elections is an indication of a political culture in favour of democracy. This political institution, despite its instability and being continuously under the threat of dissolution has been instrumental in maintaining pressure on the ruling family.

The last of Potter's (1997) preconditions for a transition to democracy is the impact of regional and international factors whether promoting or arresting the process. For instance, in the pre-independence era Britain played a negative role, supporting the Amir's repressive and autocratic rule in order to protect the interests of the Empire. Saudi Arabia also supported and encouraged the Amir to maintain an autocratic rule for fear of contagion if the democratic experience of Kuwait was successful. Kuwait's insecure position towards the constant claims of Iraq over Kuwaiti territory was a factor in hindering democratisation as fear and the need to control the Opposition inside Kuwait was heightened. Events such as the Iran–Iraq war (1981-1988) or when pro-democracy groups in Kuwait found support across borders from countries such as Oman and Bahrain heightened tensions increasing the regime's tendency to repress certain groups especially the Shi'a, fuelling sectarianism in Kuwait. One can say that transnational and international factors were more skewed towards hindering the democratisation process rather than promoting it prior to 1991.

The final conclusion is that bottom up-pressures have been present in the society despite the constraints and restrictions and repressive measures imposed by the state. However, these were unable to produce an effective challenge to the autocratic rule of Al Sabah primarily due to the success of Al Sabah in consolidating societal divisions and maintaining their dominance and their role as the ultimate source of power over society. Thus we see that the socio-economic environment indicates the presence of the six preconditions for a transition to democracy in Kuwait, albeit, with conflicting influences as promoters/obstructors of democratisation, in particular economic development and the relation of state and political institutions, as both impacts of prompting and obstructing democracy exist side-by-side.

The following chapters will determine whether Kuwait has moved beyond this conflicting environment in the post-liberation period to a clearer path towards democratisation in light of the four political reforms. The next chapter starts off the analysis with a focus on the first two reforms: restoration of the National Assembly in 1992 and the separation of posts of Crown Prince and Prime Minister in 2003.

## **Chapter Four: The Political Reforms of Post-Liberation Kuwait and Process of Democratisation 1992-2003**

### **4.1 Introduction**

During the period 1991-2003 two major political reforms took place, the restoration of the National Assembly in 1992 and the separation of the posts of Crown Prince and Prime Minister in 2003. This chapter focuses on revealing the circumstances that led to the implementation of these two reforms and evaluating their impact on the process of democratisation, in particular whether a shift away from the domination of the state and Al Sabah ruling family occurred in favour of the National Assembly and the civil society. It is important to note that even in the weakened form of the existence of Potter's (1997) prerequisites for democratisation, as the previous chapter suggested, the period post-liberation offered an opportunity to move Kuwait forward in its quest for democracy. This is primarily due to the changed political circumstances, as a result of the Iraqi invasion, that allowed Kuwaiti Opposition to exert immense bottom-up pressures demanding reforms of the political system as they attributed the temporary loss of the legitimacy of the Kuwaiti state and Al Sabah rule to the absence of democracy and lack of transparency. Moreover this legitimacy was only restored due to the loyalty and support of the Opposition, pledging allegiance to Al Sabah while in exile in Saudi Arabia, notwithstanding the Western led military coalition liberating Kuwait from Iraqi forces on 26 February 1991.

That potential trajectory, nonetheless, did not materialise; this chapter focuses on the reasons and the impediments that prevented that eventuality. The discussion proceeds as follows: firstly, it provides the context for understanding the reasons for the assembly's restoration, looking at the challenges that faced Al Sabah after the liberation of Kuwait and how they engendered and shaped these reforms. Secondly, it examines the post-liberation national assemblies individually, assessing whether they have widened participation, supported contestation and increased civil and political freedoms (Dahls' three elements that defines

democracy). Thirdly, the chapter explores the opportune circumstances presented to Al Sabah that led to the separation of the offices of Prime Minister and Crown Prince, relying in this section upon interviews conducted with prominent Kuwaitis with personal insight into this process. Lastly, the institutional relation between the State and the National Assembly is evaluated against Potter's (1997) scheme with the aim of assessing if the restoration of the Assembly was a trigger towards a substantial change in the balance of power between the National Assembly and the ruling elites or if it was merely cosmetic. The chapter concludes that the manner of the managed reforms by Al Sabah ruling family continues to indicate a reluctance to share power and intent on maintaining dominance, thus suggesting that the restoration of the Assembly represented an effort by the regime to maintain the semblance of a liberalised autocracy rather than a trajectory toward democratisation.

#### **4.2 The Challenges Facing Kuwait on the Eve of Liberation**

On the eve of Kuwait's liberation from the Iraqi invasion, by the Western led coalition, which took place on 26 February 1991, Kuwait faced a multitude of challenges: post war physical reconstruction, economic recovery, and political crises. For the purposes of this study, the focus will be only on discussing the political crisis. In particular, the two interrelated challenges of restoring the damaged legitimacy of Al Sabah and coping with bottom-up pressures as well as international Western pressure to implement political reforms.

It is important to note that the short-lived Iraqi invasion of seven months coincided with a point at which the political system in Kuwait was under strain due to the ruling family's increasing reliance on repressive force; institutions of political and civil society were either not functional or were prohibited. Regional hegemony such as Saudi Arabia continued to show themselves ideologically opposed to the concept of democracy, with attendant influence on Kuwait. Moreover, Iran's Islamic revolution gave Kuwait's government great cause for concern. At the same time, however, there was a growing internal civil political activity through the informal mechanism of the *diwaniyyas* that had grown through the 1980s, marking increased bottom-up pressure for reforming the political system. As discussed in Chapter

Three, the establishment of the National Council, *Al Majlis Al Watani*, of 1990, was a manoeuvre by the Amir, Sheikh Jaber, to pacify Kuwaitis and mitigate their specific demand for the restoration of the National Assembly. Such were the domestic circumstances when the Iraqi invasion occurred on the 2nd August 1990, which only increased the level of frustration and anger towards the ruling family as Kuwaitis held Al Sabah responsible for the invasion.

It is quite significant, then, that despite the failure of Al Sabah ruling family to protect Kuwait from the Iraqi invasion, Kuwaitis opted to stand by the ruling family and accept their return to Kuwait, allowing them to restore their legitimacy. This testifies to the success of Al Sabah in making themselves the most significant focal point of the political system, its ‘unifying’ force and its ‘arbiter’. Yet, Kuwaitis also were under the illusion that in exchange for their loyalty, Al Sabah would be more accommodating in implementing political reforms, especially the restoration of the assembly, which has been dissolved since 1986. As expressed by Shafeeq Al Ghabra, (Professor at Kuwait University), Kuwaitis believed that a democratic political system and a functional assembly would have protected Kuwait from the trauma of invasion and the consequent temporary loss of independence as well as the physical destruction wrought on the country (Interview, 2013).

The lack of transparency and absence of the assembly had left most Kuwaitis totally unaware of the real dangers looming from the Iraqi regime. Most people did not know about the extent of the danger of the Iraqi threat because censorship had banned any mention of it in local newspapers and broadcasts (Tétreault, 2000). For Kuwaitis, then, the invasion “marked a failure of the system itself” and signalled the danger of censorship and reliance on a small “closed group controlling the decision making process” (Tétreault, 2000: 87). Thus, a “greatly intensified pressure to democratise was brought to bear on Al Sabah family both by the traditional Opposition and by the Kuwaiti resistance movement that developed during the Iraqi occupation in the wake of the invasion” (Hudson, 1991: 410).

The aftermath of the liberation of Kuwait was a golden opportunity to ameliorate the tensions that had characterised the relationship between the State and society, as seen in Chapter Three, by strengthening the democratic process, primarily

through the restoration of the National Assembly. The Opposition used the Iraqi invasion and the pressure exerted by the U.S. on Al Sabah as an opportunity to call for a democratic transformation in order to weaken the grip of Al Sabah on political power and edge Kuwait towards becoming a functioning democracy. On the surface, there was reason in the early 1990s to believe that this was the trajectory that Kuwait was embarking upon as the following section suggests. The discussion firstly focuses on the main challenge faced by Al Sabah while in exile and the immediate aftermath of liberation: the restoration of the legitimacy of their rule and secondly on the external Western pressure exerted mainly by the U.S. to reform the political system.

#### **4.2.1 The Restoration of the Legitimacy of Al Sabah Rule**

Aseel Al Awadhi (first female elected to the National Assembly 2009 and a lecturer at Kuwait University) expressed, “Kuwaitis blamed the royal family for making political mistakes leading to the Iraqi invasion”, in particular, she stressed that “the suspension of the Assembly for more than six years and the autocratic nature of Al Sabah rule as the major causes of the Iraqi aggression” (Interview, 2013). Her assessment resonates with other testimonies of the growing criticism of the government, and the popularity of the view that “Kuwaitis are responsible and can rely upon themselves without the direct participation of their rulers” (Rabi, 2000: 158). At that time, “In Kuwait itself, the population was more adamant than ever that from that point on it should be involved in the shaping of the country's future. The Kuwaiti public wanted the unconditional reinstatement of the national assembly” (Ehteshami, 2003: 60). Thus, restoring the Assembly was the most crucial demand put on the ruling family by Kuwaitis while they were still in exile in Saudi Arabia.

The path towards restoring the legitimacy of Al Sabah was paved by the two Jeddah meetings held in October 1990 and January 1991. Their main aim was to consolidate the support for the Kuwaiti government in exile as the “sole legitimate representative of the Kuwaiti people and dispel the claims by the Iraqi regime that it was acting on behalf of Kuwaiti Opposition showing that Kuwaitis rejected these



claims and refused to cooperate with the Iraqis” (Ismael, 1993: 172). Kuwaitis were united in their support for Al Sabah and their rejection of the Iraqi invasion. For example, Ahmad Al Sadoun, one of the prominent opposition leaders and speaker of the 1985 assembly, refused to cooperate with the Iraqis and did not participate in setting up a provisional government, while others from the Kuwaiti embassy in London showed their support for Sheikh Jaber (Ismael, 1993: 172). Still, Al Sabah family was concerned enough by the Iraqi claims that the government sought to counter them through a public demonstration of loyalty.

Accordingly, Al Sabah organised the first Kuwaiti People’s Congress in Jeddah, 13-16 October 1990, to demonstrate public loyalty to the Amir from more than 1,200 delegates representing Kuwaiti elites and the Opposition (Crystal and Al Shayeji, 1998). To achieve this end, the Crown Prince, Sheikh Saad made a deal before the meeting with two opposition leaders, Ahmad Al Sadoun, and Abd Al Aziz Al Saqr, president of Kuwait Chamber of Commerce and Industry (Tetreault, 2000). Both the Crown Prince and Abd Al Aziz Al Saqr made “conciliatory speeches at the meeting” and the Congress’s final announcement stressed, firstly, the unity of the Kuwaiti people behind the government in exile as their sole legitimate representative and the rejection of all Iraqi claims against Kuwait and secondly, the ruling family promised and responded to the demands of the Opposition to “consolidate Kuwait’s democracy under the 1962 constitution” by restoring the assembly (Rabi, 2000: 158). The Crown Prince also “agreed to set up a consultative committee that would include members of the Opposition in the decision making process undertaken by the government in exile” (Tetreault, 2000: 85).

However, in the second Jeddah meeting in January 1991, shortly before the start of Kuwait’s Liberation War, promises to restore the assembly and initiate political reforms were all postponed, under the pretext of “purging Kuwaiti society of collaborators and infiltrators” and the “threats to national security from presumed Iraqi moles planted among Kuwaitis” (Tetreault, 2000: 86). This led the Opposition to raise concern about the government’s intentions to keep its promises, seeing this new stance as a tactic to delay the elections promised at Jeddah I. Al Sabah also announced their intention to impose martial law as soon as Kuwait was liberated

and subsequently the government in exile imposed a three month period of martial law, starting from the first day Kuwait was liberated on 26 February 1991 (Ismael, 1993).

The government also established a “security committee” chaired by the Crown Prince (who returned to Kuwait six days after Kuwait was liberated) in order to implement martial law. The Amir, Sheikh Jaber returned on 14 March 1991 in what was described by Ismael as “marking the return to Al Sabah rule” (Ismael, 1993). Ahmed Nafisi, stated “Martial law may be necessary in Kuwait for the next few months to re-establish order in the country, but that decision ought to be made by a national unity government, not the discredited Al Sabah family”. He added that the Jeddah meetings’ promises to initiate democratic reforms after the liberation of Kuwait were all hampered by martial law which was, according to him, “used to crack down on the resistance movement, to suppress liberties and to lay the groundwork for a dummy assembly: in other words, as a means to perpetuate monarchic rule” (Nafisi, 1991).

In response, the Opposition strongly criticised the ruling family. Ahmad Al Khatib called the “Crown Prince and Prime Minister a liar” (Tetreault, 2000: 86). The Opposition regarded the government’s tactics as a betrayal of the Jeddah meetings so they called for the resignation of the Cabinet and the formation of a “government of national salvation that includes secular nationalists alongside Islamists” (ibid.). Aggravating the situation further, the Opposition were excluded from any of the committees planning for the post-liberation period. “The Kuwaiti self-organised committees planning for re-entry were superseded by a regime-imposed gatekeeper who cancelled most of the arrangements they had so painstakingly worked out” (Tetreault, 2000: 85). The tug of war over the process of political reforms was resolved through pressure by Western allies, spearheaded mainly by the U.S. The next section elaborates on how transitional and international engagement acted in this instance as a condition that promoted the democratisation of the system.

#### **4.2.2 International Western Pressure for Democratisation**

A number of international factors have always been at play in Kuwait's politics as seen in Chapter Three. This remained the case in the period that followed the liberation of Kuwait in 1991, with an increased interest by Western allies led by the U.S. It is important to note that the administration of President George H. W. Bush faced a profound difficulty in selling the Liberation War to the American public; a difficulty exacerbated by the perception of Kuwait as undemocratic. The American senate vote in support of the war of liberation of Kuwait (declared on Iraq on 16 January 1991) was very close, 52 to 47; even some of those who voted for the war called for a new democratically elected regime in Kuwait arguing that America had "no real national interest in restoring Kuwait's rulers", and that since the state was not democratic, it might be preferable to promote elections backed by the United Nations rather than reinstating Al Sabah rule (Yetiv, 2002: 259). Subsequently, Al Sabah hired several American public relations firms, spending more than 11 million USD, as they "understood full well that perceptions of Kuwait as non democratic were damaging" (ibid.). Such efforts were aimed at altering Kuwait's image as a state that lacked democracy and treated women as second-class citizens.

The predicament that Al Sabah faced, with the resilience and insistence of Kuwaitis on political reforms, gave Western governments, and especially the U.S., the opportunity to press for reforms: particularly in light of the ruling family promises made at the two Jeddah meetings. According to Salem (2007: 5), "The U.S. government had no choice but to press Al Sabah family to commit itself to a restoration of the National Assembly, so Washington could justify its military interference in Kuwait to Congress and its own public". This, combined with the "perception the world is watching Kuwait" (Tetreault, 2000: 87) assisted Kuwaitis in their demands for reforms and in forcing Al Sabah to keep their Jeddah promises to restore the National Assembly and hold elections. For instance as explained by interviewee (3) (an ex-member of the National Assembly) it was the focus and pressure of Western media on post-liberation Kuwait, that helped shed light on Sheikh Jaber and his government's complete disregard for their promises and their suppression of the pro-democracy forces in Kuwait (Interview, 2013).

The oppressive measures as observed by Tetreault, (2000) included accounts of disbanding public gatherings by the police force as well as attacks by death squads

on two prominent opponents of the regime. The U.S. continued to stress the importance of political reforms; in late March 1991, President George H.W. Bush sent a letter to the Amir, Sheikh Jaber, urging him to implement the necessary reforms to the political system. This was further stressed upon when James Baker, the U.S. Secretary of State, visited Kuwait on April 1991, and stated that, “The U.S. will be able to support Kuwait politically if it introduced reforms” (Ismael, 1993: 179). The Opposition saw Baker’s visit as an opportunity to reiterate their demands and pressure Sheikh Jaber to initiate reforms, thus, on the same day of his arrival in Kuwait, they “called for a press conference to gain international support for their demands” (ibid.).

The relationship between Kuwait and the U.S. was strengthened after the First Gulf War. On the one hand, Kuwait became more dependent on the Americans to secure its borders against Iraqi and Iranian threats, while on the other hand, the U.S. wanted to protect its economic interest and establish a base in the Gulf region (Marakis, 2016). This gave the administration of George H. W. Bush leverage over Al Sabah due to the necessity of keeping the American public and the Congress on the side of the president’s actions in order to implement its military option for the liberation of Kuwait (Yetiv, 2002). In this circumstance, the transitional and international engagement factor aided the pro-democracy movement to achieve their main goal of restoring the National Assembly.

#### **4.3 The First Political Reform: The Restoration of the National Assembly**

The restoration of the National Assembly, in 1992, was meant to be the first major step towards democratising the political system, particularly in conjunction with the subsequent reform of the separation of the offices of Prime Minister and Crown Prince, in 2003. Interviewee (4) (member of the National Assembly) states, “There is an agreement among Kuwaitis that the restoration of the assembly in 1992 was only initiated to reinstate the damaged legitimacy of the royal family and was made possible due to international pressure exercised on Kuwait after the liberation as well as internal pressure, rather than the Amir’s conviction of the merits of political reforms” (Interview, 2013). Similarly, Al Ghabra notes, “The royal family are not

convinced that democracy is the right form of governance for Kuwait so the reform was only a matter of legitimacy... Al Sabah lost their country for seven months ... so they did not think that holding onto the Constitution is the best form of governance, but to them it is the best way to hold onto power” (Interview, 2013).

The delaying tactics used by Al Sabah before restoring the Assembly support both Interviewee (4) and Al Ghabra’s views. The post liberation period did not immediately witness any implementation of the promises offered by Sheikh Jaber’s government during the two Jeddah meetings. As a result, in April 1991, the Opposition submitted to Sheikh Jaber a declaration signed by eighty-nine notables asking the government to fulfil its promise in restoring the Assembly. In addition, they demanded freedom of press, the establishment of an independent judiciary and the appointment of capable individuals to the Cabinet (Rabi, 2000). Interviewee (6) (ex-minister), rebuking the ruling family for failing to fulfil its Jeddah promises, states, “Al Sabah were actually reluctant to share power and responsibilities with the Kuwaitis and they wished to continue with the same old pre-invasion policies” (Interview, 2013).

The period between the return of Sheikh Jaber to Kuwait from exile in March 1991 and the restoration of the assembly in October 1992 can, therefore, be best described as an attempt by Al Sabah to hold onto their power rather than concede immediately to the agreement reached at the two Jeddah meetings. Al Sabah, after liberation, “continued to rule by themselves; and govern through patron-client contacts and tribal and familial values” (Rabi, 2000: 160). In addition, they used the reconstruction projects intended to repair the country’s damaged infrastructure and state expenditures to “regain popular support” hence continuing the same pattern, as seen in Chapter Three, of using oil wealth as a major source of legitimising Al Sabah rule and co-opting the various social forces (ibid.).

To exacerbate the political atmosphere further, the Amir formed a new Cabinet on 20 April 1991 that included a number of the same ministers who were accused by the Opposition of being responsible for the occurrence of the Iraqi invasion in the first place (Jamal, 2007). Specifically, this Cabinet witnessed the return of the ministers of Defence and Interior to their positions (Crystal and Al Shayeji, 1998).

On the other hand, Al Qahtani explains the ruling family sought to appear as a popular government representing the Kuwaiti people through reducing the number of Al Sabah in the Cabinet from seven to five, while including nine ministers who were not from the ruling family (Interview, 2013). In a manoeuvre to appear conciliatory, Sheikh Jaber also appointed representatives from across the political spectrum and that was meant to be a “national salvation government” (Rabi, 2000: 160). However, as described by Ismael the government’s act was a “cosmetic reshuffle” of numbers because Al Sabah kept the “major sensitive portfolios of ministries while the rest of posts went to senior civil servants and technocrats.” She added that this was “a shuffling of posts that preserves power for the ruling Sabah family” (Ismael, 1993:179). Thus, Al Sabah’s impulse towards authoritarian rule did not appear to have been tempered by the experience of exile in Saudi Arabia and loss of legitimacy for seven months as a result of Iraqi invasion, nor did the bottom-up pressures from pro-democracy forces seem to cause substantial change in their perspective or behaviour towards the process of democratisation of the political system.

The leaders of the Opposition accurately viewed this as a resumption of the strategies employed by the ruling family during the establishment of the 1990 National Council (discussed in Chapter Three) and as a delaying tactic to obstruct movement towards democratic reforms (Jamal, 2007). The main task of the Cabinet was the consideration of issues related to elections, including the central question of who may vote. The pro-democracy groups wanted suffrage extended to women, and there was also pressure for expanding voting rights to so-called second-class citizens (i.e., those whose families were not citizens in 1920) (Al Yousifi, 2013b).

In contrast to the historically restrained policy of Al Sabah and their aversion to using heavy-handed methods, the government during this period, February-May 1991, used violence against the vocal Opposition; a sign of apprehension about losing control and power and a desire to silence and scare the pro-democracy forces. Abdulaziz Al Sultan (from an elitist merchant family) emphasised that “the government could not tolerate the Opposition and was reluctant to introduce reforms and accused Al Sabah of forming death squads to kill members of the Opposition” (Ismael, 1993:179). On 2 February 1991 these death squads targeted

Hamad Al Jouan, who survived an assassination attempt but became wheel chair bound (Al Watan, 2009). While on 8 March 1991 they targeted Hussain Al Banai and killed him; both men were spokesmen on behalf of Kuwaitis who had remained in Kuwait during the invasion (Ismael, 1993). It is important to note that Hamad Al-Jouan was a member of the 1985 National Assembly, in which he was involved in questioning Sheik Salman Al Douiaj Al Sabah, the Minister of Justice and Administrative Affairs, for exploiting public money and investing funds for the benefit of his youngest son Sheikh Douiaj (Al Watan, 2009). In addition, he was also appointed by the assembly in 1986 to open investigations against Kuwait's Central Bank on the charge of financial corruption. This incident was among the reasons Sheikh Jaber dismissed the 1985 National Assembly (ibid.). Al-Jouan's wife, two months following the assassination attempt, April 1991, spoke at a conference in Washington DC, about "the climate of fear and violence that persisted in Kuwait" after the liberation (Tetrault, 2000: 87).

Despite the ruling family's recourse to the use of violence and heavy-handed tactics, pressure for reform continued to build up from below, including street protests. In the end the Amir had to change his approach in response to the determination of the pro-democracy groups and the failure of state sponsored intimidation tactics as well as the international pressure exerted through the U.S. Sheikh Jaber, on the 2nd of June 1992 declared that the election for the Seventh assembly would be held on 5 October 1992. This was the trigger of the start of a new era in Kuwait's process of democratisation that resulted in the election of four successive national assemblies during the period under discussion. The following is a detailed discussion and assessment of these assemblies and their institutional relations to the state.

#### **4.4 The Successive National Assemblies 1992-2003**

The purpose of this section is to examine the four successive elected assemblies, (1992, 1996, 1999 and 2003), against Dahl's criteria of political participation and contestation of free and fair elections in order to make an assessment whether the political reform of restoring the assembly denoted a move towards democracy. The analysis focuses on showing the level of interest in this political institution (number of candidates and voters and voter turnout), the fairness of the electoral process and the main issues and debates that the assemblies engaged in during their terms and how effective they were in holding the government accountable.

#### 4.4.1 The Seventh National Assembly 1992-1995

The Amir's eventual commitment to reinstating the National Assembly resulted in holding elections on 5 October 1992 for the Seventh Assembly under international monitoring and without government interference. U.S. Ambassador to Kuwait at that time, Edward W. Gnehm Jr., commented on the day of the elections, "What happened here today was critical for establishing participatory democracy in Kuwait" and praised the Kuwaiti government for holding fair and free elections, saying, "We felt the government did very well managing the election without interference in the election process itself" (Fineman, 1992).

Only 278 candidates contested the 25 constituencies for the 50-seat assembly. Voter turnout was 83 per cent and the numbers of eligible voters nearly doubled, increasing from the 48,368, in the Sixth Assembly, to over 81,440; a positive sign of increased political participation after the long absence of the assembly, see Table 4.1. Nonetheless, this was still a low number of eligible voters as women were still excluded at this stage from the process of political participation as well as Kuwaitis working in the police, army and security services and those who had been citizens for less than 20 years. Thus, although political participation and organised competition, through fair and free elections were taking place, a large segment of the Kuwaiti population is still excluded, giving democracy a limited meaning in this context.

**Table 4.1: Political Participation in the Seventh National Assembly 1992**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
5 October 1992	25	278	81440	83%

Source: MOI, 2017



Election results clearly signalled widespread support for the Opposition, giving it a majority bloc of 34 deputies (Rabi, 2000). The most noticeable change in this election was the increase of the Islamist Sunni candidates, who gained a significant number of seats totalling 19 (Katzman, 2001: 112). In terms of the division along tribal/urban lines the assembly saw the tribal districts represented by 26 delegates, while the urban districts by twenty-four members (Assiri, 2007). The 34 seats gained by oppositional political figures were equally divided between the secular and Sunni Islamist trends, both of which shared the goal of “fundamentally altering Kuwait’s social and political fabric” (Fineman, 1992) but in two opposite directions. The former is focused on secularising the country while the later on Islamising it. During the elections, the Islamist candidates and independent candidates supporting the Islamist blocs stated that they aimed for a gradual change intended to make society comply with the *Sharia* code of Islamic law (Al Mdaires, 2010). This included opposing women’s political rights and “making Kuwaiti society more devout”, as Ismail Shatti, (ICM leader) emphasised “We want only to implement *sharia* according to the Constitution, which accepts Al Sabah as the ruling family” (Fineman, 1992). Thus, Sunni Islamists in the assembly did not make any attempt to oppose, or question Al Sabah and the political status quo in Kuwait (Katzman, 2001). The concerns, therefore, over the rise of Islamic conservatives as a source of threat to the rule of Al Sabah were unfounded. Also, the Islamist bloc failed again to achieve its long-term goal of altering Article (2) of the Constitution.

Essentially, this assembly was very active in challenging the government on many fronts. It opened investigation into the causes of the Iraqi invasion; reviewed the expenditures of the Ministry of Defence; inspected financial corruption; held investigations of the government’s investment policies and reviewed all Amiri decrees promulgated during the six years of dissolution of the Sixth Assembly (Al Yousifi, 2013b). Nonetheless, this assembly witnessed only one Interpellation as shown in Table 4.2. Its power stemmed from its composition and the nature of the elected representatives rather than from a shift of power in favour of the National Assembly.

**Table 4.2: Interpellations in the Seventh National Assembly 1992**

<i>Number of Interpellations</i>	<i>MPs presenting the interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Mofarej Nahar  8 February 1995	The Minister of Education  Ahmad al Rubai	A vote of no confidence was agreed upon. The minister survived the vote: 17 'for' and 21 'against' while 4 refrained from voting. 43 MPs were present

Source: KNA, 2016

#### **4.4.2 The Eighth National Assembly 1996-1999**

The elections for the Eighth Assembly were held on 10 July 1996. The number of candidates was 230. The number of eligible voters was over 107,169, which was 25 per cent higher than during the 1992 elections, while turnout was also relatively high at 83 percent, see Table 4.3. This shows the importance of this political institution to Kuwaitis and the emphasis they put on political participation. The results of the election show the Islamists' candidates winning 17 seats (5 Shi'i and 12 Sunni), liberals won only 4 seats, while the pro-government, well known as *Nowab Kadamat*, won 30 seats (Constituent service MPs) (Crystal and Shayji, 1998).

**Table 4.3: Political participation in the Eighth National Assembly 1996**

<i>Date of Election</i>	<i>Number of electoral districts</i>	<i>Number of Candidates</i>	<i>Number of eligible voters</i>	<i>Voter turnout</i>
7 October 1996	25	230	107169	83 %

Source: MOI, 2017

This assembly managed to achieve one significant reform in passing a law banning tribal primaries (Law number 9/1998). Article (45) of the Election Law 25/1981 provides that “everyone who organises or participates in the preparation and arrangements of ‘auxiliary elections’ can be imprisoned for up to five years.” The law also defines these as “elections managed and performed in an unofficial manner before the time determined for the [official] elections in order to select one or more from among persons that belong to a certain group or sect”. The government, as discussed in Chapter Three, had encouraged these primaries, as it increased the chances of predicting who would win and also increases the influence of the tribes as a counter balance to the urban elites. However, the government allowed this law to pass as it was under pressure from Opposition MPs to abide by the stipulations of the Election law. Interesting this assembly was dominated by tribal elements but only four voted against it which is an indication that there was an agreement with the government on passing it as interviewees (1&2) (ex-members of the National Assembly) eluded to (Interviews, 2013).

This assembly witnessed four major interpellations as seen in Table 4.4. The most significant was the questioning of the Minister of Finance, Sheikh Ali Al Salim Al Sabah as this assembly was affected by the economic problems associated with the low prices of oil, and the government’s struggle with expenses besides debating the introduction of taxes on citizens (Al Yousifi, 2013b). Despite these difficulties, interviewees (3) (ex-member of the National Assembly) and (4) (a member of the National Assembly) stressed that neither the assembly nor the government have been able to debate constructively a way forward to manage oil revenues as well as to stem the tide of pervasive corruption and mismanagement of the economy (Interviews, 2013). The assembly requested four interpellations but non was effective in holding the government accountable; the Cabinet resigned before a vote of no confidence and on the second occasion of a vote of no confidence the assembly was dissolved, see Table 4.4 below.

As indicated by interviewees (5) (ex member of the National Assembly) the assertion of this assembly of its right to question and hold the government

accountable is unwelcomed by Al Sabah, as they saw it affecting their authority (Interview, 2013). The dissolution of the Assembly on 4 May 1999, unlike the previous cases of 1976 and 1986, followed the constitutional requirements of a legal dissolution (KNA, 2011a). In accordance to Article (107) of the Constitution, the ruler called for new elections within the required period of sixty days. However, in the intervening time, Sheikh Jaber issued many decrees, one of which offered women their full political rights (Tétreault, 2012). However, it was taken as a top-down reform without the involvement of the National Assembly and was rejected once it was presented to the Ninth Assembly for ratification. The question of women's rights, and the passing of the bill granting them full political rights, in 2005, is discussed in detail in the following chapter.

**Table 4.4: Interpellations in the Eighth National Assembly 1996**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Sami Al Monais Ahmad Al Molaifi Moshari Al Osaimi 5 July 1997	The Minister of Finance  Mishari Al Roudhan	The interpellation was only discussed
2	Mohammed Al Olaim Waleed Al Tabataba'ei Fahad Al Khana'a 27 January 1998	The Minister of Information  Sheik Saud Al Nasser Al Sabah	Some MPs asked for a vote of no confidence but the government resigned one day after the request
3	Hussain Al Qallaf 1 June 1998	The Minister of Interior  Sheikh Mohammed Al Khalid Al Sabah	The government asked for a private session but the MP withdraw his request
4	Abbas Al Khadari 20 April 1999	The Minister of Justice and Islamic Affairs  Ahmed Al Kulaib	The interpellations were discussed and two votes of no confidence were presented on the same day. However, a decree was issued dissolving the assembly

Source: KNA, 2016

#### **4.4.3 The Ninth National Assembly 1999-2003**

The elections were held on 3 July 1999, and resulted in an outcome in which the liberals dominated the assembly (Roberts, 2011). During the electoral campaign, the government experienced some difficulties in dealing with the contentious tribal 'primaries'; specifically, it was under popular pressure to stop them. Despite the passing of the law declaring these primaries illegal, as discussed in the previous section, many tribes continued to hold primaries, with one tribe publicly announcing the date and location of its 'primary'. This put the government in the

awkward position of having to potentially support the ruling of the Eighth Assembly, which it had dissolved on 4 May 1999, and thus weaken the tribes, on whose support the government relied in the assembly.

As the government hesitated, those opposing the 'primaries' as part of the election process accused the government of double standards, conspiracy, and impotence in failing to apply the law. "With the outcry mounting in volume, and the first two primary results not to their liking, the regime changed course by taking the matter to the public prosecutor, who immediately summoned for questioning all those participating in the forbidden primaries"(Al Najjar, 2001: 479). In response a prominent tribal chief who was standing for election called for a public meeting of tribes to form a united position against what he described as an attack on tradition and heritage; against such a background of distrust, many candidates launched vitriolic attacks on the government and/or individual ministers (ibid.). Those opposed to the primaries accused the authorities of impotence in failing to clamp down on this illegal activity, while those in favour accused the authorities of interfering in the electoral process.

The government, while dealing with the controversy swirling around the 'primaries,' had to contend with public criticism coming from members of the ruling family itself as "at least five members of the ruling family expressed concern about mismanagement of the country, criticising the government's monopoly of power and demanding more commitment to democratic reforms" (Al Najjar, 2001: 480). He added that "some even went as far as demanding separation between the posts of the Prime Minister and the Crown Prince, an extremely sensitive issue within the ruling family's inner circles, and a long standing demand by the Opposition. Another spoke about major political reforms, stressing the need to legalise political parties and arguing that future governments should be formed by the winning parties, with only three ministries of the ruling family"(ibid.) These differences in views show that the ruling family was diverse and challenges from inside it could be problematic to the overall power and dominance of Al Sabah. It also indicates the presence of enlightened and liberal tendencies within the family, which can help promote the process of democracy in the country. As interviewees (4), (5) and (6) indicated these voices do not represent a united and well-formed agenda and could

simply be interpreted as inter-family rivalry rather than advocating democracy and/or stirred by a particular issue such as the case in tribal primaries (Interviews, 2013).

On the electoral field itself, the number of candidates was 287 while there was a slight increase in the number of eligible voters to 112 882 and turn out was high at 83 per cent (see Table 4.5). The election results returned 11 seats for Independents and 11 for Secular/Liberals while the Islamists won 13 seats (7 Sunni and 6 Shia) and the tribal forces won 15 seats (Assiri, 2007).

***Table 4.5: Political Participation in the Ninth National Assembly of 1999***

<i>Date of Election</i>	<i>Number of electoral districts</i>	<i>Number of candidates</i>	<i>Number of eligible voters</i>	<i>Voter Turnout</i>
3 July 1999	25	287	112882	83%

*Source : MOI, 2017*

Al Najjar in his assessment of the election results describes the government as surprised by the loss of 11 of its preferred candidates, as it had assumed their seats to be guaranteed; in his view, “the election results were a clear indication of public dissatisfaction with both the government and the previous assembly” (2000: 481). He added that the government was “seriously misled” when it assumed that the early dissolution of the 1996 assembly would increase the number of the pro-government MPs in the subsequent election (2002: 481). The government was not alone in being displeased with the results. The Islamists groups were also disappointed with the number of seats they gained; the Islamists’ votes were scattered and divided between the ICM and the Salafist, which benefited the liberal independent candidates (Al Mdaires, 1999).

The political tension between the Ninth Assembly and the government continued. This time, the confrontation began with a conflict over the election to the key assembly posts: speaker/chairman of the assembly, deputy speaker, and members of the major committees (Al Najjar, 2001). The conflict over the position of the chairman, in which the choice was between Ahmad Al Sadoun and Jasim Al Khorafi, lasted for three months; finally the government asked the Constitutional Court to resolve the impasse; the Court favoured Al Sadoun (Assiri, 2007). A second conflict erupted when the Prime Minister, Sheikh Saad, was only offered two weeks to form the new Cabinet in consultation with the already frustrated MPs; a process that, according to the Constitution, must involve speakers from previous assemblies. On 7 July 1999, 46 members of the assembly “issued a statement pledging cooperation with the government, yet demanding that the new government should not include any ministers likely to cause confrontations with the assembly; several MPs asked by the Prime Minister to join the new cabinet refused to do so” (Al Najjar, 2001: 483). A third conflict occurred over the necessity to address the 60 laws that the government had issued during the time of the suspension of the Eighth Assembly; a process that, according to the Constitution, must also involve speakers from previous assemblies. The majority of the MPs in the Ninth Assembly refused to acknowledge the validity of these laws because “they thought this would jeopardise the separation of powers and implicitly condone the usurping of legislative power by the executive” (ibid.).

In his evaluation of the Ninth Assembly, Assiri (2007: 141) described it as “weak and lacking strong opposition”. It only held 40 sessions, either because the government was absent or because the MPs boycotted the sessions. This view is confirmed by some of the interviewees, in particular interviewee (4) and (6). They stressed that the weakness of the National Assembly became too obvious during the time of the Ninth Assembly as the tug of war between the government and assembly made it extremely ineffective and exposed further the structural problem of the lack of balance of power between the elected body and Al Sabah (Interviews, 2013). Interviewee (2) reaffirmed this view indicating, “the assembly is only a show of democracy because in reality it is weak” (Interview 2013).



The assembly requested eight interpellations, but these continued to be ineffective in holding the government accountable. As seen from Table 4.6, three ministers (Minister of Electricity and Water, Minister of Finance and Minister of State Affairs) escaped the vote of no confidence as the government could always rally enough MPs behind it and the government to avoid a vote of no confidence resigned before the questioning due date. Another interpellation was removed while the assembly accepted a minister's promise to investigate the issue raised by the interpellation and lastly, the assembly refused to investigate the issue raised by the interpellation.

**Table 4.6: Interpellations in the Ninth National Assembly of 1999**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Marzooq Al Hobaini Mussalam Al Barrak Waleed Al Jouri 28 October 2000	The Minister of Electricity and Water  Adel Al Subaih	A vote of no confidence was presented. The result was in favour of the minister: 19 voted 'for', 26 'against,' while 3 refrained. 48 MPs were present.
2	Hussain Al Qallaf 27 January 2001	The Minister of Justice  Sa'ad Al Hashel	The government resigned in 29 January 2001, two days after the interpellation was presented
3	Hussain Al Qallaf  24 November 2001	The Minister of Justice and Awqaf  Ahmad Baqer	The interpellation referred to the Legislative and Legal Committee. The committee report was discussed with the result that 25 MPs agreed with the conclusions (out of 43 present MPs). The interpellation was removed from the agenda
4	Hassan Joher 3 March 2002	The Minister of Education  Dr. Musa'ad Al Haroon	The assembly agreed to a promise made by the Minister to hold investigations on any illegal issues

5	Mubarak Al Dowailah Mussalam Al Barrak 26 May 2002	The Minister of Finance and Planning Dr. Yousif Al Ibraheem	A vote of confidence The result was in favour of the minister: 22 “for” while 21 were against and 3 refrained. 46 MPs were present.
6	Hussain Al Qallaf 26 May 2002	The Minister of Electricity and Water Talal Al Ayarr	The assembly refused a proposal by 6 MPs to form a committee to investigate the issues of the interpellations. The vote 23 ‘for’, 30 ‘against’
7	Abdullah Al Naibari 11 January 1003	The Minister of State’s Affairs Muhammed Dhiyf Allah Sharrar	A vote of no confidence was presented. The result 15 supported the vote for ‘no confidence’ while 30 voted ‘against’. The minister survived the vote
8	Ahmad Al Shurai’an 28 April 2003	The Minister of Defence Sheik Jaber Al Sabah	The MP presenting it withdrew the interpellation

Source: KNA, 2016

#### 4.4.4 The Tenth National Assembly 2003-2006

The elections were held on 5 July 2003 and witnessed an increase in eligible voters and a significantly high turnout nearing 90 per cent of eligible voters 136,715, whereas the number of candidates was 246: lower than the previous assembly (see Table 4.7). These are all signs of the continued interest of Kuwaitis in political participation and their commitment to the National Assembly as a counter power to Al Sabah, despite its inability to hold the government accountable.

*Table 4.7: Political Participation in the Tenth National Assembly 2003*

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>	<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
5 July 2003	25	246	136715	89.7%

Source: MOI, 2017

The electoral campaigns in the run up to the 2003 election were particularly fraught and challenging to both the candidates and the government. While some candidates accused each other of bribery, others accused the government of interfering in the elections either directly or indirectly through influencing voters' opinions. As asserted by Assiri (2007), the accusation of misuse of funds for political purposes was grounded in reality, as at least one of the candidates put out an advertisement recruiting 1000 media officers for his campaign. Doubts over the politicisation of money was heightened when the same candidate proposed that he would pay voters if they registered in his electoral district, besides paying them a bonus in the event he won the elections. The local press took the issue up criticising the government and claiming that the advertisement was a clear sign of buying electoral votes. The government, consequently, was forced to respond and the candidate was taken to court and stopped from participating in the elections.

The assembly witnessed a drastic change in its composition as liberal candidates lost many of their seats, whereas the Islamists won the majority of seats (Al Mdaires, 2010). There were 18 members representing different Islamic blocs in addition to 11 MPs sympathetic to Islamist ideas while tribal forces won 21 seats (Sharar, 2010). Despite the very conservative nature of the assembly, its members were active in trying to hold the government accountable, the assembly witnessed seven interpellations and for the first time an interpellation was requested to question the Prime Minister (KNA, 2015). This was encouraged by the reform of the separation of posts of the Crown Prince from the Prime Minister (discussed in detail in the following section 4.5), and was described by Roberts as “breaking the taboo of questioning a Prime Minister” (2011:96). The interpellations, however, had limited success: the Minister of Finance escaped the vote of no confidence while the Minister of Health resigned before the vote; three other interpellations were merely discussed, one removed, and the Cabinet resigned before the assembly had a chance to question the Prime Minister, see Table 4.8.

**Table 4.8: Interpellations in the Tenth National Assembly 2003**

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Mussalam Al Barrak 4 March 2004	The Minister of Finance  Mahmood Al Nouri	A vote of no confidence was presented. The result was in favour of the minister : 21 ‘for’ while 25 ‘against’ and 3 MPs refrained. 49 MPs were present
2	Hussain Al Qallaf 18 April 2004	The Minister of Health  Dr. Mohammed Al Jarallah	The MP presenting the interpellation failed to gain the support of 10 MPs to vote for a vote of no confidence
3	Ahmad Al Molaifi Ali Al Rashed 21 November 2004	The Minister of the State’s Affairs  Muhammed Dhiyf Allah Sharrar	The ‘Audit Bureau’ was authorized to write a report on the interpellation’s main points
4	Faisal Al Moslim Waleed Al Tabataba’ei 21 December 2004	The Minister of Information  Mohammed Abou Al Hasan	The Minister resigned so the interpellation was removed from the agenda
5	Jamal Al Omar  4 January 2005	The Minister of Justice  Ahmad Baqer	A discussion took place and the assembly agreed on some recommendations
6	Dhaif Allah Bouramyah 23 March 2005	The Minister of Health  Mohmad Al Jarallah	A vote of no confidence was presented, however, on 11 April 2005 the minister resigned
7	Ahmad Al Sadoun Ahmad Al Molaifi Dr Faisal Al Moslim 17 May 2006	The Prime Minister  Sheikh Naseer Al Sabah	On 21 May 2006 the assembly was dissolved

Source: KNA, 2016

This assembly did not serve its full term of four years. The new Amir, Sheikh Sabah, like his predecessors, used his ultimate power and suspended the assembly on 21 May 2006, and called for new election on 29 June 2006 (to be discussed in Chapter Six). The dissolution was due to the increased tension and impasse between the MPs and the government in particular over the issue of amending the election law combined with increased bottom-up pressures through the activism of women and the youth. The events of 2005 and 2006 of the women's political rights campaign, and the youth movement and its impact on the suspension of the National Assembly are discussed in detail in Chapter Five.

In summary, the discussion of the four successive assemblies suggests that the two most important dimensions of defining democracy, political participation and contestation through elections continued to be present during this period, albeit constrained by interferences from the government and tainted by the accusations of corruption, and abuse of the principle of free and fair elections. A wide variety of accusations were levied at the elections of the various assemblies: buying votes, the tribal 'primaries', government favouring candidates over others and providing them with support . Such practices not only undermined the process of democracy but also preserved the adversarial and confrontation relation between the legislative and executive branches, with very little apparent cooperation and collaboration, as required by the Constitution. Moreover, the three suspensions followed by fresh elections suggest the continuation of the preponderance of state power over the elected body. These assemblies confirmed the view that there is limited meaning to these assemblies and the degree of democracy they represent, as they are in effect "consultative rather than legislative ...they are not allowed to enact law" (Landon, 1993).

#### **4.5 The Second Political Reform: Separation of the Posts of Crown Prince and Prime Minister**

The second political reform, the separation of the posts of the Crown Prince and the Prime Minister took effect on the 3rd of July 2003 when Amir Jaber al Sabah gave

the premiership to Sheikh Sabah Al Sabah while Sheikh Saad Al Abdullah retained the Crown Prince position.

The separation of the two posts has been a long-standing demand from the Opposition, as it was perceived to offer the National Assembly more power to question the Prime Minister and debate governmental policies and actions without appearing to humiliate the future Amir. In addition to making the Prime Minister more responsible in front of the assembly, the MPs would also be encouraged to question him without fear or hesitancy. At the same time, the Amir would still retain the authority to appoint and dismiss the Prime Minister as well as the authority to accept his resignation. However, this reform was in the end introduced when it was convenient and useful to Al Sabah, representing a top-down reform rather than as a response to this long standing public demand, which in the eyes of the MPs undermined the legitimacy of this long awaited development.

The views expressed by some of the interviewees support this point. Abdulmohsen Jamal (an ex-MP of the National Assembly) who had closely witnessed the debates and events surrounding this political reform, indicated that “what happened is that Sheikh Saad Al Sabah, who was the Crown Prince and the Prime Minister at that time, was ageing and was very sick, so it was hard for him to be present and carry his duties appropriately, while Sheikh Sabah was, behind the scenes, carrying out those duties” (Interview, 2013). Originally the idea to separate the two posts, as Jamal explains, “came from two MPs, Ahmad Al Shuraian and Muhammad Al Murshed, who had been calling for the separation of the two posts for a long time”, but he added that “I believe that the separation did not come as a result of pressure for reform but because there was no other option in front of the Amir, Sheikh Jaber, but to respond to Sheikh Sabah’s demands and appoint him the Prime Minister, effectively separating the two posts” (Interview, 2013).

Jamal’s own view is important in that it shows that even though some assembly members supported the separation of the posts of Prime Minister and Crown Prince, the reform was not entirely popular within the assembly since it was seen primarily as a top-down reform and not in response to bottom-up pressure. Jamal’s reasoning

goes beyond just rejecting it due to it being a top-down reform; he views the reform as problematic and unbeneficial. He elaborates his position by saying:

I believe the separation of the two posts is not good for the country. When the Crown Prince is also holding the post of the Prime Minister this makes him more powerful in the assembly and decreases the amount of questioning and conflicts we see in the assembly. The thing is that the parliamentarians were only afraid of questioning Sheikh Saad because he was very strong, not because he was the Crown Prince or the Prime Minister. I think that holding the two positions together is a positive thing for Kuwait and having a strong Prime Minister would also empower the ministers. In Kuwait when we do have a strong assembly and a strong government with strong ministers cooperation between legislative and executive is enhanced. However, we have a view that the government must be weak and the assembly has to be strong or the opposite so that one can control the other and this is not a good thing (interview 2013).

Also, it is significant to note that he perceives the balance of power between executive and legislative in both being strong and finding ways to cooperate for the benefit of national interest. His position acknowledges the need to move away from the confrontational and adversarial interaction that have characterised the institutional relations of National Assembly and the government to a more favourable one based on cooperation and mutual strength (Interview, 2013).

In contrast, Al Abdullah expresses the view in support of the separation. He states, “There was a popular demand to separate the position of the Prime Minister from the position of the Crown Prince” (Interview 2013). He further indicates that the demand stemmed from the prevalent traditional political culture that eschews offending the Prime Minister because of the position he also holds as Crown Prince, and who in the future will be the Amir himself. So the separation will enable the assembly to hold the Prime Minister accountable while safeguarding the future Amir from any kind of offence and embarrassment. Because of this Al Abdullah emphasised that the assembly was always cautious in questioning and criticising the Prime Minister, so when the separation took place the MPs were relieved because it had offered them the ability to question him freely (Interview, 2013).

Al Awadhi was also in favour of the separation but points to what she considered the real motivations of Al Sabah to implement such reform”. She says “The



separation of the post of the Prime Minister from the Crown Prince was a major reform that needed to happen.” However, she notes that the separation was not done as a step forward towards reforming Kuwait’s political system but in order:

“To protect the Crown Prince from being impeached in the assembly. Because when he is holding the two positions together then he is exposed to questioning and criticism and because we live in a culture that is more patriarchal ... and very far from being democratic, you know what it means to question a parent ... You know that criticising the ruler is something not acceptable, it is the same as criticising our father or the head of the tribe or the family. It is just totally unacceptable, so since the Crown Prince is by law going to be the father of the country in the future ... Which is the perception of the ruler here in Kuwait ... you know they do not think of a ruler as a job they think of it as a family and as a father figure, which implies that I just have to blindly respect him, no matter what ... so the separation was a tactic to save him from being scrutinised, it was not a step forward towards democracy” (Interview, 2013).

Al Qahtani has a similar view to Al Awadhi. He indicates “The separation of the two posts of the Crown Prince and the Prime Minister was a significant reform in Kuwait’s history which was made possible when Sheikh Sabah was appointed as Prime Minister and Sheikh Saad continued to hold the position of the Crown Prince”. Al Qahtani states “This reform took place due to the fact that members of the assembly were embarrassed to question the Prime Minister who is at the same time the Crown Prince and who is going to be the future Amir”. However, Al Qahtani insisted “The political reforms in Kuwait in general come as a reaction, and not as a series of organised political measures taken by the ruling elites of Kuwait to introduce real advancements to the political system... in their content, the reforms are not geared towards achieving a real democratic system in Kuwait ” (Interview, 2013).

The benefits of separating the two posts for the process of democracy are apparent from the discussion above. Whether the assembly was able to capitalise on this will be discussed in Chapter Six. Suffice it to say here that the Amir ended up dissolving the Tenth assembly, in 2006, partly due to its insistence on questioning the Prime Minister, a sign of the limitation of this reform.

## **4.6 Evaluation of the Institutional Relation of the State and National Assembly**

This section evaluates what this period meant in terms of shifting the balance of power between the State and National Assembly and if there was any noticeable changes in the institutional power balance, which can be an indication of a move towards a less authoritarian and more democratic system as Potter's (1997) scheme suggests. Recall from Chapter Three how the institutional relation during the period 1962-1990 was primarily constrained by two obstacles for transition to democracy: the prevalence of segmented identities and cleavages and the subsequent lack of national unity, and the ability of Al Sabah to manipulate and control the political process through various mechanisms and tactics. The discussion in the following section continues to focus on these two essential elements to assess any changes that either enhanced the chances of democratisation or augmented these hindrances. The discussion starts off with analysis of the consolidation of segmented identities and cleavages and then analyses Al Sabah's continued ability to dominate.

### **4.6.1 The Consolidation of Segmented Identities and Cleavages**

Al Sabah cultivated segmented identities and sustained social cleavages as opposed to promoting national unity and/or an arching unifying identity as a tactic to maintain their dominance and the centrality of Al Sabah to the political system. These segmented identities have been consolidated and even formalised in the political process and used to counter each other for the benefit of Al Sabah. During this period another factor further augmented this segmentation on the expense of developing a national identity and national political agenda, namely, Kuwait's political blocs that emerged, in 1991, post-liberation, as each one of them represented a very narrow base and narrow political agenda. These blocs are divided along two major ideological orientations: the first bloc is the Islamist and the second is the secular/liberal. These are, in turn, split into several sub-political movements.

For instance the Islamist bloc is typified by three groups: the Islamic Constitutional Movement (ICM) representing the Muslim Brotherhood, the *Ikhwan Moslaimeen* and uses primarily the non-governmental organisation *Jamiyyaht Al-Islah Al-*

*Ijtama'i* (the Social Reform Society) to spread its influence in the Kuwaiti society (Brown, 2007). The second group is the Islamic Popular Gathering (IPG), known as *Al-Salafin*, (Al Mdaires, 2010). Similar to the ICM, it spreads its influence through a non-governmental organisation, the Reviving Islamic Heritage society, *Jamiyyaht Ehya'a Al-Torath Al-Islami* (Ismael, 1993). Lastly, is the National Islamic Alliance (NIA); a moderate Shi'i bloc, many of whose members come from *Al-Jamiyyah Al-Thaqafiyyah*, the Cultural Association, an organisation incorporating several factions among the Shi'a community (Al Mdaires, 1996).

As for the secular and liberal bloc they are composed of two major groups. The first is the Kuwait Democratic Forum, *Al Wast Al Demoqrati*, (KDF); a liberal opposition bloc with Arab nationalist and left leaning roots (Al Mdaires, 2010). The KDF integrated with the National Democratic Alliance, *Al Tahalf Al Watani Al Demoqrati*, which mainly consisted of left-wing liberals (Sharar, 2010). The integration can be seen as a forward step to consolidate political blocs with similar views making them more effective. The second is the Constitutional Bloc, *Al Tajamo'o Al Destory* and draws its members from the elite and old merchant families (Al Mdaires, 1996).

The emergence of these political blocs suggests on the one hand an increase of political awareness and a modernised society, both positive signs from the point of view of Potter's (1997) six prerequisites for democratisation. In addition, this development indicates the emergence of organised political activity and an attempt to play a part in the decision making process along with Al Sabah. These political blocs, nonetheless, were constrained in two essential ways from playing a meaningful role in countering the power of Al Sabah, considering that the Opposition won the majority of the seats in 1992, 1996, 1999 and 2003 assemblies. Firstly is the uncertain legal status of the political blocs, which did not allow them to evolve into true political parties, due to the fact that the Constitution does not technically discuss their establishment. In light of this, the establishment of parties, while not "technically illegal" is in practice "not permitted" (Brown: 2010). Article (43) of the Constitution guarantees the freedom to form associations and trade unions without a provision on forming political parties. The political blocs in Kuwait, therefore, are not officially licensed, leading to a debate and confusion about their legal status. Sowing further confusion, Article (45) of the Constitution

gives organisations the “right to address the authorities”. Some politicians and activists take this stipulation as proof of the legitimacy of forming political parties.

Secondly is the narrow base that they operate from which did not allow for mature political agendas to emerge that can effectively address some of the serious economic and political issues facing Kuwait. This aspect has been emphasised by Alawadhi, Al Qahtani, Al Ghabra, and Jamal as a major obstacle in developing an institutional relation between the state and the National Assembly that can curtail the dominance of the ruling family and the government, allowing for more cooperative and participatory governing processes (Interviewees, 2013). Moreover, interviewees (3 & 4) expressed a view acknowledging the difficulty in considering these political blocs as instruments for change as their very narrow base and the divisive nature of their political positions limits their contribution towards the democratisation process (Interview, 2013). Interviewee (6) even rejected the position taken by Al Ghabra, (1992) that identifies these blocs as “quasi-parties,” because he argued candidates still run as independents indicating that the first criterion for considering these as political blocs is an ability to run their own candidates formally and on a clear political platform, believing that this will force these political blocs to mature and go beyond reflecting their very narrow base, which only serves Al Sabah’s rule (Interviews, 2013). Al Awadhi states, “The Opposition is weak and highly fragmented; in this respect they mirror Kuwaiti society. At the end, the Opposition reflect the composition of the society and they mirror the social division found in the society itself. Whether it is tribal, sectarian or urban, even the merchant families they have their own representatives in the assembly ... each work for their own benefits and have their own political and economic agenda...This does not help in establishing genuine powerful oppositions ... our Opposition and subsequently the assembly are both weak” (Interview, 2013).

One must recognise that the lack of a unified coherent agenda and the presentation of narrow based interests that reinforced the segmented identities and cleavages of the society have weakened the Assembly’s political role and maintained the leverage of the ruling family. Nonetheless, the very existence of these political blocs is significant; they are a factor in increasing political awareness and encouraging the development of a political environment that could foster

democratic values, leading to more favourable conditions for democratising the political system. Also they are an important source of political pressure on Al Sabah, despite their apparent weakness.

#### **4.6.2 The Continued Dominance of Al Sabah**

The second hindrance to the process of democratisation is the enduring ability of Al Sabah to maintain dominance, facilitated by the constitutional power invested in the Amir through his control of the executive (appointing the Prime Minister) as well as the right to dissolve the National Assembly which he used three times; only one Assembly served its full term during this period 1992-2003. This continued to weaken the assembly in relation to Al Sabah, and explains the calls by Opposition MPs for more elected members to be part of the Cabinet, which could encourage more collaboration between the Assembly and the government and help avoid the antagonistic and confrontational politics characterising the political system. However, Al Sabah have resisted this as it weakens the control of the ruling family over the process of government, since key positions are reserved for Al Sabah family members. Also, the presence of 15 unelected members—from the appointed Cabinet- with equal voting rights further skews the balance in the assembly in favour of Al Sabah ruling family.

Al Sabah's political dominance (as discussed in Chapter Three) is also facilitated by the "rentier" nature of the economy, which continued to allow the ruling family to control this massive wealth and re-channel it in a manner that enhances their dominance and increases their ability to manipulate and control social forces and the various political blocs. This explains the focus and determination of the ruling family after liberation to restore its dominance by giving the recovery of the oil sector and reconstruction efforts high priority. It was also necessitated by the fact that Kuwait's financial system on the eve of the Iraqi invasion was just beginning to emerge from the problems related to Souq al Manakh collapse (discussed in Chapter Three). The wide spread destruction heaved on the country during the Iraqi occupation undermined further the fragility of the system and necessitated the quick recovery of the oil sector. In addition, the cost of liberation (large payments to

Desert Shield and Desert Storm operations) and cost of reconstruction had eaten a large proportion of the Kuwait Fund for the Future. This fund was set up in 1976 in order to invest a percentage of around ten per cent (increased in 2011 to 25 per cent) of Kuwait's annual oil revenues for the protection of future generations. It is estimated that the cost of liberation and reconstruction at around 20 billion USD (El-Ebraheem, 1996: 6)

Nonetheless, Al Sabah family was utterly focused on recovery and reconstruction irrespective of cost, especially considering the massive damage inflicted on the oil sector and the country's overall infrastructure. By June 1992 oil production and exports resumed, and by 1995, oil production capacity and exports were above the pre-invasion levels, the cost of this was estimated at 6.5 billion USD (Metz, 1993). The value of exports returned to its 1990 level of around 6 billion USD and continued to rise through out this period reaching nearly 27 billion USD in 2004, as seen in Table 4.9.

***Table 4.9: Value of Petroleum Exports of Kuwait 1992-2005 (million USD)***

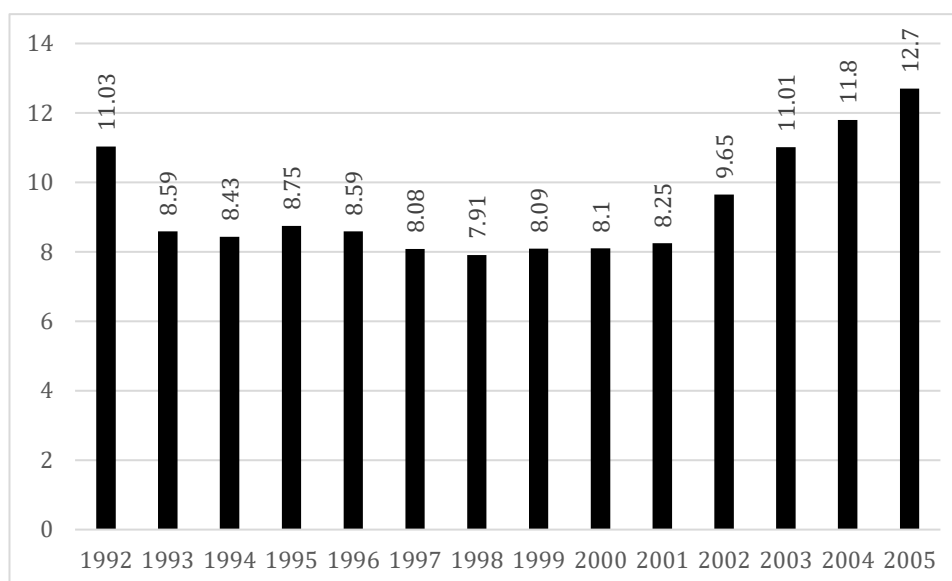
<i>Year</i>	<i>Value of Total Exports</i>	<i>Value of Petroleum Exports</i>	<i>Petroleum Exports to Total Exports (%)*</i>
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1992	6,572	6,221	95%
1993	10,246	9,711	95%
1994	11,260	10,459	93%
1995	12,780	12,054	94%
1996	14,889	14,132	95%
1997	14,222	13,468	95%
1998	9,554	8,472	89%
1999	12,192	11,026	90%
2000	19,436	18,185	94%
2001	16,212	14,980	92%
2002	15,351	14,060	92%
2003	20,675	19,005	92%
2004	28,729	26,675	93%
2005	45,011	42,583	95%

\*Calculated by the author: Source: OPEC, 2005, OPEC, 2000.

The massive increase in the value of exports in 2005 to 43 billion USD is a reflection of a sudden jump in oil price from 36 USD to nearly 51 USD per barrel. The continued dependency of the economy on oil is seen from the share of oil exports to total exports averaging 93 per cent for the period 1992-2005, as seen in the table above. The recovery of the oil sector and continued flow of massive oil revenues has been crucial for Al Sabah in reclaiming legitimacy and maintaining the loyalty of citizens, especially in the immediate post-liberation period. Government expenditures remained high, as seen in Chart 4.1. It peaked in 1992 to 11 billion USD due to the extra expenditures associated with the Iraqi invasion such as payment to all government employees for the seven month period of the occupation, raised salaries, and written off 1.2 billion USD in consumer loans and 3.4 billion USD worth of property and housing loans made before the invasion (Mertz, 1993). The average spending during the period 1992-2005 stood at 9.36 billion USD per annum.

**Chart 4.1: Kuwait Government Spending 1992-2005 (billions USD)**



*Source: Global Economy, 2016).*

This continued reliance on oil indicates that the country's long-term strategy to diversify the economy and lessen dependency on oil revenues and provide more opportunities for private sector involvement in economic development in preparation for the post-oil era has not materialised. Kuwait has found such a transition very difficult as the public sector's economic dominance as well as the philosophy of the welfare state has become ingrained in the society. At both domestic and international levels, the capacity of the government to continue with its very generous distributive function has been highlighted as unsustainable, and also the necessity to embark on economic reforms as crucial to the economic progress of Kuwait (Oxford business group, 2015: 1).

This difficulty is shared with other Gulf Monarchies where such trends of redistributive policies of oil wealth are part of the legitimisation process of ruling families. So the question of how to embark on an economic reform agenda that implies the restructuring of the relation between citizen and state without losing the legitimacy of the ruling families is of a paramount importance to these states. Kuwait is in a better position than the rest of the Gulf States because of its long standing constitutionally guaranteed elected legislative body. This coupled with the adoption of political reforms that are intended to promote democratisation could



potentially strengthen the National Assembly and civil society organisations and facilitate the gradual restructuring of the relation of state and society while maintaining the rule of Al Sabah. It is noticeable, however, from the above discussion that political reforms have not produced such an outcome, moreover, political blocs have been unable to promote national unity and/or national agendas and are still focused on narrowly based interests emphasising divisions and social segmentation, which in turn undermines the very process of democratisation as well as the process of economic reforms.

This lack of national unity and national political or economic agenda have served Al Sabah well as they continue to provide the basis for their dominance and relevance as the force that ties and unites all these fragmented social forces. Al Sabah ruling family remain the “arbiter” and the “unifying” force among the plethora of interests and they continue to cultivate these segmented interests rather than national unity. However, this has created more antagonism, which consolidated the confrontational pattern of politics and encouraged a stalemate in the relation between state and society. Al Sabah have shown little commitment for creating the conditions that allow for a structural shift in the relation between the legislative and executive branches, and Kuwait appears to be locked in a vicious circle. The political reforms need to actually establish a participatory governing process that enhances a collaborative relation between the assembly and the government in order to embark on the difficult task of rolling back the state and adopting the long standing diversification strategy. The inability to break this vicious circle has sown the seeds for further significant deterioration in the relation between assembly and executive, during the period 2006-2013, as the discussion in Chapter Six will show, resulting in political instability and turmoil causing a retreat in the process of democratisation and in turn impacting on economic progress and development.

#### **4.7 Conclusion**

This chapter shows that the golden opportunity afforded to post-liberation Kuwait to move towards a more democratic political system was thwarted despite the revival of the National Assembly in 1992. Al Sabah continued with its tendency to dissolve the National Assembly as the ultimate mechanism for resolving differences and protracted political debates, albeit the dissolutions were constitutional and the ruler called for elections within the constitutionally specified period. In addition, they continued to rely on the manipulation and promotion of societal divisions and segmented identities and oil wealth as mechanisms of control and suppression and basis of their legitimacy.

Nonetheless, despite the lack of change in the institutional relation between the National Assembly and the State, one of Potter's (1997) main conditions for a transition to democracy, manifested by the continued reliance of Al Sabah on the mechanisms of control and dissolutions, the fact that the assembly was restored and its dissolutions occurred in accordance to the Constitution is significant to the process of political reform. The successive assemblies, also, showed themselves capable of challenging Al Sabah, indicating that pro-democracy political culture that could already be discerned in the period prior to 1990 continued to exist in the post-war period, as the majority of the assemblies during this time were composed of oppositional politicians. Moreover, the citizens' strong impulse towards democracy is also shown by the value attached to the National Assembly's elections reflected in voter turnout and the assembly's debates. In this sense Dahl's emphasis on the importance of political participation and contestation bears fruit as Al Sabah are constantly being challenged by these two processes, and that despite their many shortfalls are still factors to be considered as promoters of democratisation.

It is also noticeable that Potter's (1997) factors of civil society and transnational and international engagement have had a definite influence on promoting democracy. The analysis showed that pressures exerted by the U.S. as well as societal bottom-up pressures during and after liberation led to the restoration of the National Assembly. However, a mixed picture emerges when we examine Potter's (1997) economic development and societal divisions indicating that these acted as both promoters and inhibitors. In the case of economic development it continued to have a mixed impact as urbanisation and education enhanced the impulse towards

democracy and the activism exhibited by Kuwaitis during occupation and in post-liberation Kuwait, while the “rentier ” nature of the economy continues to keep Kuwaitis highly dependent on the state which gives Al Sabah immense power over society. Segmented identities and societal divisions have been further augmented as a result of the consolidation of a number of political blocs that uses these divisions as a base for its political activities, hence weakening the development of a national identity that could serve as a promoter of democracy.

The following chapter analyses the circumstances that led to the second set of political reforms, in specific the two amendments of the 1981 election law: women suffrage in 2005 and the redefining of the electoral districts in 2006.

## **Chapter Five: The Reforms of the Electoral System and State-Society relation 2005-2006**

## **5.1 Introduction**

The two major political reforms of the electoral system: granting women political rights in 2005 and redefining the electoral districts in 2006 require detailed analysis in order to provide a full understanding of the circumstances that led to these significant reforms and to assess the dynamism between state and civil society in Kuwait. Substantial and sustained bottom-up pressure was put on the State by women organisations and women activists in order to effect the first reform while the youth movement, which became known as the Orange Movement pushed for the second one.

The analysis, other than completing the narrative of the democratic reform process during the period under study, has a theoretical value also as it focuses on the role of CSOs and civil movements in effecting change towards democratisation. Potter (1997) indicates, in line with the wider literature on democracy (discussed in Chapter Two), of the importance of civil society in restricting the power of the state through mobilisation and exerting bottom-up pressures. This chapter shows how these two civil movements have successfully organised, mobilised and vocalised its demands in order to effect these two important reforms. Furthermore, giving women political rights falls in line with Dahl's (1971) emphasis on the need to widen political participation in order to create a more democratic political system, while reducing the electoral districts helps in making contestation, Dahl's other significant element, more meaningful based on national agendas and programmes rather than the segmented and narrow based interests. The increased activism of civil society through these two movements corresponds to Dahl's third element of the importance of civil liberties and political freedoms and more importantly the presence of the possibility of effecting change through the activism of CSOs and/or civil movements.

The discussion in this chapter is divided into three sections. The first section examines the challenges and the legal and practical restrictions faced by Kuwait's CSOs due to state's imposed control. The discussion, then moves, in the second section to examine the arduous and long process that led to granting women their political rights while the third section details how the youth Orange Movement

pushed for the second reform in an unofficial alliance with the reformist MPs. The chapter concludes with the assertion that civil society and its associations and/or movements have a role in effecting changes and pushing for bottom-up reforms despite the legal and practical constraints imposed by the state.

## **5.2 Overview of the State and Kuwait's Civil Society Organisations**

The literature on civil society organisations, as discussed in Chapter Two, emphasises two aspects that make them effective in counterbalancing the power of the state; being autonomous and voluntaristic. Part of the debate on CSOs in the Middle East region is the fact that these do not lend themselves to such a definition. However, despite the control and restrictions imposed by the Kuwaiti state on these organisations and despite the fact that they are dominated by primordial affiliations and identities some of these CSOs have been instrumental in limiting the power of the state and in pushing for the electoral reforms that otherwise would not have happened. It is, thus, crucial to understand the environment that these organisations operate within in order to appreciate their value and their importance in effecting change, particularly in the case of women's struggle for their political rights and the Orange Movement pushing for redefining the electoral boundaries.

The legal frame imposed by the state on the formation and activities of the CSOs in Kuwait has been an influential tool in keeping them weak and relatively ineffective and under the control of the government, manipulating them to serve its interests. Law (24) of 1962 that organises the formation and activities of CSOs makes the registration of CSOs with the government mandatory and requires them also to register as public benefit societies *Jame'yat Nafa'a A'am*. Moreover, Article (6) of the law bans the CSOs and the Non-Governmental Organisation (NGOs) from "interfering with politics and religious conflicts". Since the law does not define the term "political activities" the government, therefore, grants its representative bodies such as the Minister of Interior (MOI) the right to curtail a wide range of activities it deems politically threatening, also, banning the CSOs from participating in public policy debates.

In addition, there are restrictions with regard to fundraising, as Article (22) of the law stipulates that CSOs are only permitted to collect funds once each year after first receiving a licence from the government. This situation makes government funding crucial while simultaneously starving these organisations from access to other sources of funds that can expand their activities and increase their effectiveness. Government funding is in some cases insufficient to operate these associations, however, it provides other kind of benefits such as reimbursing travel expenses to conferences or missions, permits the secondment of civil servants to assist the CSOs with their work and provides grants for specific projects, all of which is designed to restrict and control the CSOs.

Article (43) of Kuwait's constitution 1962 grants citizens, on the one hand, the right to form associations, stipulating "Freedom to form associations and unions on a national basis and by peaceful means" while on the other, the same article stipulates that this right "shall be guaranteed in accordance with the conditions and manner specified by law". The law of associations has been organised in such a manner as to restrict this right in practice, prohibiting groups from engaging in political activities. Moreover, the law gives the Ministry of Social Affairs and Labour (MOSAL) the responsibility for either approving or refusing requests for licences of CSOs, in addition to rejecting some licence requests on the grounds that established NGOs already provide similar services or if it deems that the NGO does not provide a public service. Moreover, members of licenced NGOs must obtain permission from the MOSAL to attend international conferences as official representatives of their organisations(Al Mughni,1996).

The government, thus, is deemed the ultimate political controller weakening civil society from functioning effectively, as MOSAL is in the end responsible for permitting the registration of an organisation, overseeing its functions and regulating its activities as well as its finances. In addition, MOSAL can dissolve any association's elected board of directors if it believes it is conducting inappropriate activity or mishandling the association's funds and the Cabinet, upon its recommendation, can dissolve organisations. For example a Cabinet decree on 6 of August 1993 ordered the dissolution of all unlicensed human rights and humanitarian organisations (Al Mdaires, 2010). Some human rights activists were

able to circumvent this order by holding their meetings under the umbrella of registered societies such as the Alumni Society (Assiri, 2007). Further control is practiced through the letter of the law. Although Law 38 of 1964 guarantees the rights of workers and employers to form labour unions, however, the same law states that any union must include at least 100 workers, 15 must be citizens. This requirement is limiting because it discourages unions in sectors that hire few citizens mainly the private sector with its high concentration of low skilled foreign labour.

The level of autonomy of the CSOs from the state, as indicated by Rana Al Abdulrazzaq (political activist), “depends on the nature of their activities and how appropriate it is to the current political atmosphere; the CSOs that are not involved with political or legal issues and are involved with charitable activities are much more autonomous and enjoy greater freedom than those who have political agendas and activities” (Interview, 2013). However she added “all CSOs are monitored by MOSAL, which weakens them as pressure groups especially if they tend to be politically active and try to introduce reforms” (Interview, 2013). Tetreault and AlGhanim (2009), however, observed that despite these restrictions and control mechanisms, the shape, the role, the leadership and even the membership of the CSOs in Kuwait has developed over the years to address political issues. Hassan Joher (ex-member of the National Assembly) supports this idea, remarking that recently CSOs have flourished, and due to the absence of political parties it is common to see these associations “try to fill a gap and play the role of formal political parties; that is why they sometimes adopt cases of a political nature.” He points out “for example the Teachers, Lawyers and the Student Unions, though they are meant to be professional associations, tend to play a political role and this have empowered and strengthened the democratic movement in Kuwait” (Interview, 2013). This suggests that CSOs are adaptable and responsive to the climate in which they find themselves and that they can exert bottom-up pressures to effect political reforms.

Joher, Al AbdularazaQ, Al Abdullah and Al Qahtani emphasise that Kuwait enjoys an active civil associational life, and was a pioneer among Gulf States in this regard whether through the early establishment of women, professional and Alumni

associations, or labour and student unions (Interviews, 2013). Nonetheless, the number of the CSOs in Kuwait is relatively small; by 2011 Kuwait had only 84 CSOs (Al Anba'a, 2012). These have expanded to include a much wider range of associations such as activists' associations serving certain purposes such as women's rights, human rights, the disabled and children's rights (ibid.). Al Awadhi supports this view, stating, "civil society associations whether formal or informal like the *diwaniyyas*, have always been politically active" (Interview, 2013). However, she adds, "some of the associations cannot engage directly in politics, but many oppose the government such as the Alumni's Association, but also there are those who are pro-government and there are those who are dominated by a particular political group, such as Kuwait's University Student Union who for decades has been controlled by the Muslim Brotherhood." (Interview, 2013). Al Awadhi also mentions a trend by which people who are politically active and have a political agenda use civil society organisations in order "to easily jump to the assembly and become MPs" (Interview, 2013). Meaning these associations become training grounds and channels of public exposure that provide Kuwaitis with a platform to develop their political expertise, preparing them to enter the political arena.

Al Qahtani, emphasises the increased political activities of CSOs by indicating that they "do interfere now in politics; for example we saw the committees and the groups who were concerned with the disabled have been politically active to the point that they had succeeded in issuing a law for the establishment of an authority for the handicapped people in Kuwait". Besides that, he said, "regarding the increasing of salaries ...in many occasions we saw the unions and associations ... demonstrating in front of the assembly to achieve their goals" (Interview, 2013). Joher, Al Awadhi and Al Qahtani all agreed that recently the politics in Kuwait is not only led and monitored by the Amir and the assembly; it is also led by a variety of civil society associations. Moreover, Al Abdullah states, "The existence of CSOs in Kuwait reflects the increased awareness of the society and their concerns towards human rights, citizenship and political participation, besides the active role of the youth and their desire to bring about more political reforms". However, he accepts the control of CSOs by the various political blocs by indicating:



Political blocs control of CSOs is something normal in any society. If you have a political bloc how do you think it will be able to represent itself in the society? You will be for sure using, for example, the Student Unions and any other civil association as a conduit to reflect and represent your ideas and ideologies, in addition to using the media. So I believe those organisations do represent and reflect the larger political blocs found in the society and I would add that most of them represent the Islamic blocs in the state of Kuwait” (Interview, 2013).

Abdullah’s position and acceptance of the link between political blocs and civil society organisations is problematic, as this linkage has contributed to the weakness of Kuwait’s civil society. As much as the state controls and manipulates CSOs to its advantage, the political blocs do the same, hence, restricting the autonomy of civil associations to act as a counter force to state power.

This autonomy as the literature on civil society (as discussed in Chapter Two) indicated is an essential component in making CSOs a channel for the discontent of citizens away from both state and political blocs. Thus the function and effectiveness of CSOs varies in accordance to their ability to escape the restrictions imposed by the government and their financial dependency on the state as well as the influence of the political blocs they are associated with. In other words the road for autonomy is complex and challenging. Interviewee (7) (member of a civil society organisation) emphasised this negative influence of political blocs in restricting the autonomy of civil society by “making and using the associations as a mirror reflection of their ideas, beliefs and political positioning”, in particular he emphasised that the Islamists political blocs exert an influence on the direction and activities of some civil associations as much as the state (Interview, 2013).

Funais Al Ajmi, (consultant for Kuwait Labour Union), on the other hand, emphasises the negative influence of government funding on the autonomy of CSOs by indicating that those CSOs fully subsidised by the government are “pro-governmental”, they do not dare oppose the government; they lack autonomy so they are always supportive of the government’s policies and they do not deny that ” (Interview, 2013). He adds, “A good example of these are the lawyers and teachers associations as well as some of the financial associations. Whereas the associations that are not subsidised by the government are always opposing government policies

and are hence being monitored closely...those include the National Labour Union and Kuwait's Transparency Association" (Interview, 2013).

Al Awadhi points to another recent restriction that weakens CSOs by indicating that sometimes the international political environment, especially post 9/11 exercises pressure on the government to scrutinise and limit the work of some CSOs "under the umbrella of fighting terrorism". She added a number of CSOs work have been restricted and others were banned from raising funds for humanitarian aid for fear they have links to international terrorism, without the government providing any evidence of that (Interview, 2013).

In summary, Kuwait witnessed the emergence of CSOs of various nature, activity and scope, however, the manner in which the government organised the relation with CSOs through Law Number 24 /1962 weakens civil society and restricts their autonomy. Moreover the government's strategy in dealing with CSOs is based on breaking down solidarities built on voluntaristic identities and reinforcing traditional primordial or religious identities, which further undermines the development of an effective civil society and the liberal/secular impulses in the society. Nonetheless, the liberal reformist impulse of the Kuwaiti society allowed some associations, notably women organisations and activists and the Youth Orange Movement, to overcome the restrictions and control mechanisms of the state and resist the segmented traditional and conservative trend to become effective in pushing for political reform of the electoral system as the following discussion shows. A note of caution about the next section, the discussion only focuses on women activism and their long struggle for their political rights rather than on assessing women CSOs and their impact on the overall position and role of Kuwaiti women which is beyond the scope of this study.

### **5.3 Women's Struggle for Equal Rights and Political Participation**

On 16 May 2005, the Tenth National Assembly granted women full political rights allowing them to vote and run for office in parliamentary and local elections after a long struggle by women rights' campaigners. As indicated by Lulua al-Mulla, general secretary of Kuwait's Social and Cultural Women's Society, "It has been

20 years of work, but at last we got our rights. It is about time” (CNN: 2005b). In fact the time it took women to be treated equal to men was over four decades. The analysis starts off with the constitutional view on women’s political rights as this contradicted Election Law No 25/1961.

***Constitutional-legal perspective*** The election Law (1961) limited suffrage to male Kuwaiti citizens above the age of 21. When examining Kuwait’s Constitution 1962, Articles (6) and (7) stipulate that, “The System of Government in Kuwait shall be democratic, under which sovereignty resides in the people, the source of all powers. Sovereignty shall be exercised in the manner specified in this Constitution” (Kuwait’s Constitution, 1962). Furthermore, Article (7) states “Justice, Liberty, and Equality are the pillars of society; co-operation and mutual help are the firmest bonds between citizens”. In addition to that, Article (29) states “(1) all people are equal in human dignity and in public rights and duties before the law, without distinction to race, origin, language, or religion. (2) Personal liberty is guaranteed.” The Election Law, therefore, contradicts the constitution with regards to depriving females of their political rights and offering them only to males.

It can be noted that the Constitution did not discriminate in its provisions between male and female; instead it emphasised equality to each and every citizen. Since the Constitution is the guide of the state then offering women their political rights was an obligation since its promulgation. Moreover, the Constitution does not differentiate between male and female with regard to the membership of the Legislative Authority; Article (80) elaborates on this, stating, “The National Assembly is composed of fifty members elected directly by universal suffrage and secret ballot in accordance with the provisions prescribed by the electoral law”. While the Constitution declares that men and women are to be equal before the law and ensures them equal rights and opportunities, in practice this principle was ignored in the election law as it denied women their political rights. This situation, as described by Mohammed Al Yousifi, (political activist and a writer), “raises questions about the assembly's claim to be the legitimate representative of Kuwaiti citizens”, however, “it encouraged women to fight to gain their political rights” (Interview, 2013). The exclusion of women from playing any political or public role was not at odds with the times then, as indicted by Al Abdullah, “This exclusion

was imposed by the old, traditional nature of the society and at that time was acceptable for a conservative society such as Kuwait” (Interview, 2013).

The traditional and conservative political and ideological environment was a huge obstacle to the advancement of women’s rights as they based their opposition on the Sunni’s strict religious Islamic interpretations of women’s rights and place in society. In the assembly the demands to grant women their political rights were always opposed by the different conservative forces; royal, tribal and Islamist groups, in addition, opposing women’s political rights was sometimes based upon the electoral calculations of some MPs who were only trying to appease their voters and achieve political gains in their constituencies (Salim,2007).

Another significant obstacle that delayed the granting of full suffrage to women is what Wills (2013:174) considers Kuwait’s paradox concerning two of Dahl’s important conditions for the transition to democracy: contestation and political participation. She indicates that the politics of Kuwait and the National Assembly points to a focus on contestation and the increased power of the assembly rather than widening political participation (ibid.). This focus is also seen through the aforementioned restriction on the overall electoral base, which approximates what Dahl calls “competitive oligarchy” (1971.) The expansion, thus, in the electoral base through giving women their political rights is a significant development in terms of increasing electoral participation and undermining the oligarchy that characterised the electoral system. This enfranchisement was overdue and came after a long struggle.

***Women’s long arduous struggle*** Organised women’s activism began in 1962 when the Liberal female activist, Noureya Al-Saddani, established Kuwait’s first women’s association, the Arab Women’s Renaissance Association, later changed to the Family Renaissance Association (Tetreault, 2004). Many other associations followed this development such as the establishment of the Arab Women’s Development Society (AWDS) in 1963, whose members were middle class women, and marked a qualitative change in the type of women association (Al-Mughni,1993). AWDS was a vocal association empowering women to exercise

their full citizenship rights and working towards improving women's status and demanding gender equality in all fields of life. Also they touched on sensitive issues relating to family law such as the provision of child allowance for divorcees and the restriction of Polygamy (ibid.).

As early as 1973, Kuwait's assembly reviewed the "Equal Rights Bill" put forward by AWDS to grant women "equal societal and political rights" including the demand on restricting polygamy in the society. The assembly was not in favour to the "scope of the feminists' demands" and rejected the Bill (Olimat, 2009: 201). The Sunni Islamists and the traditionalists MPs represented by the tribes, held the view that the exposure of women to public life through suffrage would lead to women's moral corruption (Tetreault, 2011). The secular opposition and women's rights movement responded with increased persistence on demanding political rights. For instance, the Girls' Club, *Nadi Alfata*, established in 1975 by a group of upper-class women and focused on women in sport, in conjunction with AWDS demanded the change in the electoral law to give women political rights (Olimat, 2009). Two MPs, Jassim Al Qatami and Rashid Al Farhan in 1975 submitted a draft of a law to offer women their political rights, however, the draft was not discussed due to the dissolution of the assembly in 1976 (Joher, 2001). The government did not tolerate the pressure from those associations and in order to weaken the influence of the secular opposition it closed the Independent Club and dissolved the elected boards of most of the associations controlled by the left and nationalist groups and appointed new ones (Al Mdaires, 1996).

This was part of the overall intolerance of the government to any sort of organised political activity. The government in 1978 accused AWDS of financial fraud, although, this was never evidenced (Al Mughni, 1993). A female government official was appointed president of AWDS but after the continued refusal of the members to collaborate with the newly appointed leader, the government disbanded AWDS (ibid.). This incident reinforced government's control and its intolerance of dissent, indicating a continuous struggle for power between the associations and the government. Such control and restrictions also explain to some degree why the women enfranchisement movement took such a long time to materialise. Nonetheless, Women Cultural and Social Society (WCSS) continued to work on

raising awareness about women's rights and promoting the advancement of women despite numerous failed campaigns.

Lulwa AL Qattami, the leader of the WCSS, recognised the strength of the opposition to women suffrage and acknowledged, "They are very organised. We as liberal women are not so organised." (GNAD, 2011) Also a poll by Kuwait University showed that 58 per cent of men eligible to vote opposed women suffrage, and only 27 per cent supported it (ibid.).

However, during the Iraqi occupation, women played an active role in the resistance movement, smuggling food and weapons across the Iraqi checkpoints, participating in demonstrations against the occupation, volunteering in hospitals, some women were detained and killed while others went missing (Al Dhamki, 1991). Because of that extensive role, the government following the liberation of Kuwait, promised women that they would be acknowledged for their efforts by granting them their political rights (Olimat, 2009). Al Yousifi and Al Abdulrazzaq indicate that the occupation was an opportunity to gain greater support for the women rights' campaign due to internal pressure as well as external pressure primarily from Western allies (Interview, 2013). Also during the post-liberation period women began to campaign effectively for their rights. For example, in 1996, 500 women stopped working for an hour to demand suffrage, whereas, in 2002, a group of women organised non-violent demonstrations near two voter registration centres in an attempt to vote and enter their names on the ballots, and during the elections of 2003, women established mock ballots that allowed hundreds of women to cast symbolic votes for real candidates (GNAD, 2011).

On 22 October 1992, a proposal was presented by the MP Hamad Aljoa'an, offering women the right to vote and to lower the age of the voters to 18 but was rejected by the "Interior and Defense Committee" of the assembly, and consequently was not discussed (Joher, 2001). Simultaneously a committee was established to study the viability of offering women their full political rights according to Islamic rules. In 1994 a new proposal was presented by three MPs: Jassim Al Saqer, Abdulmohsen Jamal, Abdullah Al Naibari and Ali Al Baghli but it was rejected again by the same committee, saying that the proposal is not acceptable because it stands against Islamic rules and regulations, which do not approve offering women political rights (Joher, 2001). On 31 December 1996, the MPs Sami Al Monais, Abdullah Alnaibari

and Hassan Joher proposed the same law but it was refused again on 29 January 1997 (Joher, 2001). The MPs Abdullah Khorshid and Abbas Alkhadari also proposed a draft bill offering women their political rights but it was also rejected in 1997 (ibid.). The rejection came with an excuse presented by the Ministry of Awqaf and Islamic Affairs reiterating that it is not Islamic to offer women their political rights and that it is against *Shari'a*, Islamic rules (Olimat, 2009).

A turning point came on May 1999 when Sheikh Jaber promulgated the Amiri Decree Number 9 of the Year 1999 granting women electoral rights, allowing women to vote and run for office in the elections which was due in 2003 (Tetreault, 2003:217). The decree was issued after Sheikh Jaber dissolved the assembly in 4 May 1999. There was huge support for the decree from women's advocacy groups and international actors (Joher, 2001). However, the Islamists and Liberals opposed the move; the Islamists based their opposition on religious grounds, while the liberals based their opposition on the grounds that this action was a direct attack on the power of the National Assembly. The decree, as stipulated by the Constitution, needed to be ratified by the assembly, elected in July 1999 (Tetreault, 2003). The assembly rejected the Amiri Decree on November 1999 by a vote of 41 to 21 (Olimat, 2009). Jamal explains: "The MPs rejected the Decree as a matter of a principle because they did not want it to be imposed from above and by Sheikh Jaber himself as a top-down reform" (Interview, 2013). However, when a group of liberals introduced an identical bill, at the end of November 1999, the bill also failed, with a vote of 32-30 (Joher, 2001). This indicates that a more complex dynamic was at play exposing the paradox of democratisation in Kuwait as the focus of the National Assembly's members continued to be on increasing the assembly's power over increased participation of Kuwaiti citizens.

When examining the government's initiatives for political reforms in regard to women suffrage and how serious the government was in widening the electoral base, Tetreault argues that the topic of women's political rights was a "playing card" used by the government to distract people's attention from criticising it and focusing on its policies (2003:232). This was evident in 1999 when Sheikh Jaber Al Sabah decreed the enfranchisement of women, which was only "an attempt to refocus the election campaign away from criticism of the government, and onto divisions in society over the issue of votes for women" (Al Najjar, 2001). Some of

the interviewees (4,5,6,) confirm such a view, indicating that Al Sabah resort to all sorts of distractions and manipulations of the divisive divisions in the society to maintain their dominance and to avoid accountability (interviews, 2013).

Meanwhile, the emergence of Islamist groups in the early 1980s and the increased Islamisation of the society through emphasising religious norms and values and a rejection of Western ideas and norms was accompanied with an expansion in women involvement in the Islamic movement. This involvement revolved around emphasising women's traditional role in society towards their family and community as well as wearing the Islamic dress (Olimat, 2009). Islamic dress became increasingly visible on campuses and in society at large. Two main active women Islamic organisations were formed, *Bayadir al-Salam*, and Islamic Care Society, supporting the resurgence of the traditional female virtues and morality and stressing the differences between female and male, and their different roles in life (Al Mughni, 1996). They emphasised the domestic role of women of establishing a family and raising children, while stressing women's role in society, urging them to defend society's traditions and customs (ibid.).

This involvement, however, had the impact of women seeing that they were outside the political decision making process and on the fringes of a male dominated movement. A noticeable change, hence, occurred in the 1990s where some vocal Islamist women began to address gender inequalities and articulate women's interests and rights away from the traditional views of women's role in society, and they began announcing their public support for the suffrage struggle (Olimat, 2009). Furthermore, they formed an alliance with liberal women activists, hence, giving greater credibility to the suffrage movement as women's rights advocates can use a religious argument, in addition to the arguments based on the stipulations of the Constitution and international human rights declarations to advance their cause (Al Mughni, 2010). According to Lama Al Othman (Journalist) , "this was a dramatic shift in favour of women suffrage and also a warning to the Islamist movement of the changing political awareness of their women members" (Interview, 2013).

More attempts followed in support of women suffrage. In October 2003, the Cabinet approved a draft legislation to grant women their political rights; the



legislation, once again did not receive parliamentary approval. However, women's rights campaign received some new support in 2005 from the Ummah party, *Hizb Al Ummah*, which became the first Sunni Muslim group in the Gulf region to publicly support women's suffrage (Al Mdaires, 2010). A possible reason is that the "active participation of Islamist women in the suffrage movement was instrumental in softening the Islamist position towards the enfranchisement of women" (Al Mughni, 2010: 8). In March 2005, 1,000 demonstrators gathered peacefully outside of the assembly to reinforce their demand for suffrage (GNAD, 2011). A small number of male protesters were present demonstrating against women's suffrage but were overshadowed by the large number of the pro-suffrage demonstrators who wore pale blue to represent the struggle for suffrage (ibid). Women's rights' groups also started a publicity campaign and continued to demonstrate. The Tenth National Assembly passed law 17/2005 on the 16th of May 2005 granting women their political rights (Herb, 2005).

Jamal stated in his reaction to the passing of the bill that "I regard this reform as correcting a mistake that was made in the past by excluding the other half of society ... now I can say we are in the process of completing our democratic journey by widening political participation and enhancing government accountability" (Interview, 2013). However, this win came with a price tag in which the Islamists insisted on adding a clause requiring women both voters and candidates to adhere to *Shari'a* by the specific stipulation that "A Kuwaiti woman, voting and running for political office, should do so while fully adhering to the dictates of Islamic *Shari'a*" (BBC, 2005). Islamists women activists, nonetheless, continued to work together with liberal women on the full integration of women in the public political sphere (Al Mughni 2010: 9). Such cooperation leads to undermining the conservative male dominated religious groups, and is essential to further women causes and issues in Kuwait. Al Ghabra pointed to the success of the Islamist and liberal women agreeing on a political platform, despite their ideological differences, something that needs "to extend to other groups in the society in order to act above parochial and segmented interests towards a national political platform" (Interview, 2013).

It is important to clarify the circumstances of such a historical vote, as this ratification appeared to have come unexpectedly. The National Assembly met first

to discuss legislation introduced two weeks earlier allowing women to run in Municipal Council elections, which was thwarted by the assembly (Olimat, 2009). The Cabinet opened the session on 16 May 2005 by proposing a complete amendment of the election law and it invoked a rarely used “order for urgency” to push through the legislation in one session rather than two (Tetreault in Wills, 2013:182). The legislation was ratified by a vote of 35 in favour and 23 against, with one abstention (BBC, 2005). An explanation to this unexpected turn of events just two weeks after the assembly rejected the right of women to run in Municipal council election relates to the Prime Minister, Sheikh Sabah Al Jaber Al Sabah and his planned trip to U.S. (NY Times, 2005). Sheikh Sabah was under immense pressure to grant women their full political rights prior to arriving in the U.S. A spokesman for the U.S. State Department, Richard A. Boucher, called the legislation “an important step forward for the women of Kuwait and for the nation as a whole “ (ibid.).

In summary, a combination of factors played a role in enfranchising women after a long struggle and many failed attempts. Firstly, is the long activism of women themselves and the increased bottom-up pressure through increased public actions, secondly, the consistent and multiple attempts by the enlightened segments in the assembly that were willing to keep pushing until the legislation was enacted as law, thirdly, the role of the government in pushing it through the assembly and persuading reluctant elements to vote in favour and finally the role of Islamist women activists and the support of *Hizb Al Ummah* political party. It was claimed that the government used bribery to get the vote through (Shultziner in Wills, 2013:182).

Although this has been a significant moment in Kuwait’s democratisation process, women political rights do not necessarily translate into liberating women from the traditional and restricting social attitudes and/or elevating their status and place in the society as equal to men. Interviewee (8), (blogger and political activist) “considers the advancement of women through granting them political rights as a superficial gesture and not enough to effect a structural change in the role of women, moving it from fundamentally being a family and house bound role to a wider scope of opportunities in order to contribute fully in social, cultural and political life”

(Interview, 2013). However, the interviewee notes, also that women's associations were very active in pushing for other rights such as of those Kuwaiti women who are married to non-Kuwaitis. This suggests the multi-layered aspect of women's struggle for equality and the awareness of women associations of the crucial social issues that matter also to Kuwaiti women.

#### **5.4 The Orange Movement and Redefining the Electoral Districts**

The educated Kuwaiti youth played an active civil role in pushing for political reforms, in particular, the redefining of the electoral districts. Smith Diwan notes that the youth in Kuwait are "Like the youth in Tunis and Cairo, working toward a more civic order, grounded in constitutional rights and realised through citizens' activism" (2011:16). Yet while in harmony with some of the objectives of other Arab youth movements in the Middle East, "the Orange Movement predates them and is driven by developments specific to Kuwaiti politics." In so far as, it does not call for the downfall of Al Sabah rule but for a curtailment of their dominance (ibid.). Political activism in Kuwait is more about changing the relation with the state and ruling elites rather than overthrowing the rule of Al Sabah. Despite this, there is, as the discussion in the previous chapters indicated, little evidence of the willingness of Al Sabah to concede to such a change in the relation.

The gridlock characterising the political system and the increased level of combativeness and belligerence between the government and the National Assembly was the catalyst behind the emergence of this new force embodied in the youth *AL-Ḥaraka AL-Burtuqaliyya*, the Orange Movement, or *nabiha khams*, "We want it five", meaning we want five electoral districts. "Kuwait's youth movement arose in response to the weakening of political institutions, both the monarchical institution and the national assembly" (Diwan, 2011:16). This combined with the bitter standoff between the government and the Opposition in the assembly over the electoral reforms gave the youth the impetus to mobilise around this issue.

The Orange Movement and the reformist MPs in the assembly blame Election Law Number (25) of the year 1981 for Kuwait's rampant corruption saying it promotes

vote buying and thus produces corrupt MPs. Ibtehal Al Khateeb (assistant professor at Kuwait university and political activist) endorses that view indicating that, “the electoral system was responsible for the spread of corruption among candidates” (Interview, 2013). Nathan Brown stated that allegations of vote buying were rife, and tribes would (in contravention of the law) hold “primaries”, he also describes the electoral campaigns under the 1981 Electoral Law as a “close race and campaigns that seemed to revolve around neighbourhood issues, pitting families and tribes against each other” (2008a: 3). Diwan stresses that the main objective of the youth movement was to stop “political money that distorts the Amirate’s governing institutions and threatens its constitutional order” (2011, 16).

This corruption of the electoral system encouraged the reformers, both the Orange Movement and some of the MPs in the National Assembly to unite and rally for a system with five rather than twenty-five districts in which each voter selects four candidates, and the top ten vote-winners in each district win a seat in the assembly. Brown pointed, “The reformers hoped to eliminate vote buying, since a much larger number of votes would be necessary to win. Thus the electoral campaigns would be run on the basis of platforms, programs, and ideologies rather than family and neighbourhood loyalties”, accordingly, this would “create a more cohesive body concerned with broader issues rather than being a constituent service assembly” (2008a.: 3). Al Yousifi points out “the law of the electoral system of 1981 had been fought against intermittently by the opposition in National Assembly since it was introduced” (Interview, 2013). However, the efforts towards amending it only escalated in the spring of 2006 when the Orange Movement erupted onto the political scene of Kuwait.

The movement started to organise a series of demonstrations demanding a change to the law and used social media to promote their campaign through Internet blogs (Diwan, 2011) as well as SMS text messages (Tétreault, 2006a). One of the movement leaders, Khaled Al Fadalah, explains, “Our beginning was spontaneous... We were discussing the political crisis in Kuwait at a restaurant. We said we should act. We decided to hold a protest at the council of minister. Between 400 and 500 people gathered and a very successful peaceful rally took place on 5 May 2005 outside Al Sayf Palace to coincide with Cabinet meeting” (Hasan, 2006a).

As for the colour orange, the activist, Nada al-Mutawa stresses that it was chosen “for no political reason... It has nothing to do with Ukraine or Lebanese Christian leader Michel Aoun’s movement”. The movement quickly became known as the “Orange Movement”. It was also called the “Orange Youth” or alternatively “Orange Revolution” (ibid.).

This was followed by an “all-night vigil” on 14 May 2006, outside the National Assembly, ahead of the crucial debate on the government’s own proposal of a ten-district rearrangement as a strategy to contain the movement’s anger as well as the embittered MPs (Hassan, 2011b). It was called the “flag night”, where the organisers encouraged everyone who supported them to plant the Kuwait flag in the grass in front of the assembly (Tétreault, 2011). The demonstrators, who were estimated at 1,000, gathered along with some MPs and campaigned all night (Hasan, 2006a). The next morning, on 15 May 2006 they entered the National Assembly to place orange leaflets on the desks of ministers and MPs, and then took seats in the gallery (Tétreault, 2006a). As soon as “it was indicated that the ten-district proposal would have government support, all 29 proponents of the alternative five-district proposal left the assembly including Ahmad Al Sadoun” (Tétreault, 2011:83). The assembly session, subsequently, was postponed until the next day.

The Orange Movement demonstrators gathered again on 16 May 2006, in front of the assembly. This time, the government surrounded the demonstrators “using police and Special Forces dressed in riot gear and armed with batons”(Tétreault, 2006a). A number of MPs joined the rally. In this impasse, Ahmad Al Sadoun called a public meeting at the assembly that evening, which also happened to be the first anniversary of the passage of the bill giving women political rights. Approximately 4,000 gathered but the Special Forces blocked entry to the assembly (Tétreault, 2011). These events indicated that the government, once cornered politically, did not hesitate to revert to the repressive arm of the state. Also in response to this standoff, Sheikh Sabah on 21 May 2006 resorted to his ultimate power and dissolved the Tenth assembly. In a televised speech he stated that he was using his powers under Article (107) of the Constitution to dissolve the assembly and call for new elections (previously scheduled for summer 2007) for 29 June 2006 (ibid.). Sheikh Sabah stated that it was “a difficult decision that I had never wanted to take”,

and he added that the dismissal “was necessary to preserve national unity” (AlQabas, 2006).

Joher believes that Sheikh Sabah dissolved the assembly for two main reasons: the “first relates to the failure of the MPs to reach an agreement on the amendment of electoral law. The Cabinet had insisted on amending the electoral law by reducing the districts to ten arguing that this number was necessary to create a more open electoral sphere, meanwhile, the majority of the MPs insisted on reducing the districts to five arguing that this would stop the government from manipulating the elections” (Interview, 2013). The second reason “relates to the request by three MPs to question the Prime Minister, Sheikh Nasser. This was the first time that the assembly requested the questioning of the Prime Minister. It was not yet accepted in Kuwait that a member of Al Sabah in such a high position to be questioned” (Interview, 2013). This suggests that by separating the posts of Crown Prince and Prime Minister, Al Sabah’s intention was not to democratise the system and allow the National Assembly to hold the government accountable but it was a way to overcome the difficulty faced by the sickness of Sheikh Saad, the Crown Prince.

The dissolution of the assembly did end the demonstrations, but the 2006 election for the Eleventh Assembly that took place on 29 June 2006 did not give the Amir the desired results as it returned an assembly dominated by the Opposition. This assembly will be discussed in the following chapter but it is important to point out that on 17th July 2006, the assembly’s major accomplishment was to introduce the amendment to the electoral system by passing Law Number 42 of the year (2006) stipulating that “Kuwait is divided in five electoral districts, each of which elects ten deputies. Each voter may vote for up to four candidates” (KTS: 2008). The passing of this law was an achievement that illustrated how an alliance between a civil society movement and the National Assembly could produce results unfavourable to the regime and could push the boundaries of the political system.

However, even with the success of bottom-up pressures in amending the electoral law, some scholars such as Brown see the amendment of limited significance and the amended law as still problematic to the process of democratisation by stressing that,

Kuwait's electoral districts are of sharply uneven size the largest one has more than twice as many voters as the smallest one yet all will elect the same number of deputies. The malapportionment is not accidental: the overrepresented districts are the most urban ones. These lie closer to the historical centre of Kuwait and are populated by wealthier and more educated Kuwaitis as well as by the most prominent political and business elites. They are inclined to view the Kuwaiti constitutional system as a pact between the ruling Sabah family and other leading and long-established families. They tolerate the entrance of outlying districts (where tribal identities tend to be stronger and many residents gained full citizenship rights only in the past few decades) to the political system but hardly on equal terms (Brown 2008a: 4)

Some of the interviewees (Jamal, 3, 4 and 6,) also expressed similar reservations as they saw the basis of the unfairness of the election law unchanged as it continued to give unequal weight to the different districts and consequently unequal weight to each vote, while this unfairness of the distribution of the districts has facilitated Al Sabah's manipulation of elections in order to control the composition of the assembly (Interviews, 2013). The impact of this reform on elections and the composition of the national assembly is discussed in Chapter Six.

On the other hand, Abdularazaq points to the importance of recognising the positive elements in the Orange Movement towards democracy as it indicates an active civil society and moreover, "it was a youth active movement that represented different sects of the society...they were successful in pointing at the source of corruption and they succeeded in putting a pressure on the government" (Interview, 2013). Al Ajmi agrees with Al Abdularazaq's view in that "The Orange Movement was an active national political youth group albeit a temporary one that succeeded in fulfilling its aims through bottom-up pressures manifested in the several rallies and demonstrations held in Kuwait and it ended with the achievement of that aim" (Interview, 2013). Also, the emergence of a youth movement should be seen as something hopeful: evidence that "a capacity for change or at least the desire for it exists.." (Diwan, 2012).

In summary, like the women suffrage political reform, a combination of circumstances produced a fortuitous moment to enact a reform that had been the focus of a long dormant campaign by the National Assembly, but which suddenly erupted vociferously by becoming the focal point of the well organised Orange

Movement, attracting huge support among the youth. The youth's anger and the impasse in the National Assembly accompanied by antagonism and animosity between the Amir and the MPs gave such an impetus to the movement. Unlike the previous reform, this time the government was against the five-district proposal so chose to suspend the National Assembly and call for election rather than concede to the change in the law in accordance to the demands of the Orange Movement.

Al Qahtani remains critical of the two reforms of the electoral system as he points out that "the reforms were introduced randomly and were not planned for; they came as a reaction ... same as what had happened in Turkey for example in 2010 when Turkey made 19 political amendments to the constitution all at once. So in Kuwait the reforms were done randomly" (Interview, 2013). In response to such a sentiment, one can point to the fact that women suffrage took more than four decades to achieve and redefining electoral boundaries has been a dormant campaign since the Amir changed the law in 1981 and increased the electoral districts from 10 to 25. These were long campaigns fought by committed activities and the reformist segment of the assembly and not "random" reforms. Also, as pointed out by one interviewee (12), (blogger and political activist), what is important is that the "Youth had been energised and there was recognition of their ability to organise, mobilise and challenge the regime but there remains a need to build on this through the strengthening of CSOs" (Interviews, 2013).

## **5.5 Conclusion**

This chapter showed that the state in Kuwait exerts massive control over CSOs through a comprehensive legal framework that controls licensing, auditing, scope of work, finances and ultimately dissolution. This excessive involvement of the government in administering the CSOs weakens their function and undermines their autonomy, so civil associations are unable to hold back and counterbalance the power of the state. Complicating this situation further is the fact that political blocs have strong links with civil society organisations, in particular the Islamists, which further curtails their autonomy and limits their ability to represent households and market vis-à-vis the state and its institutions.



However, the discussion illustrated that despite these restrictions, women and youth movements were able to escape this restrictive frame and effect political reforms. Thus indicating the possibility of change through civil society even in states where civil society is apparently very weak. In the case of women gaining political rights, multiple of factors came together including the need of Al Sabah to enact the bill before the Prime Minister's visit to the U.S., the alliance between women Islamist advocates and liberal women, the siding of one of the Islamist groups with the women's rights campaign and the intensified public fight by women during the year 2005. In the case of the Orange Movement, the level of discontent among Kuwaitis in general and the youth in particular allowed this movement to grow and gain support becoming a natural ally to the reformist movement in the National Assembly. Thus, it cannot be argued that civil society is absent in Kuwait even though it is not as autonomous and voluntaristic as civil society in the West. These two moments are significant indicators of possible change and a need for less focus on the National Assembly as the only institution that can curtail the dominance of the state and Al Sabah family.

On a theoretical level, these two reforms attest to the importance of civil society as suggested by Potter's scheme for the transition to democracy as well as the role of economic development, especially as it brought about significant improvement in the level of education of the society and to women in particular, encouraging them and pushing them to demand equal rights to men. However, the political culture being divided between a very traditional conservative outlook on women's role in society and the secular liberal outlook pushing for women's political right caused a huge delay, over four decades, of women gaining what is constitutionally their right. As Potter (1997) suggests political culture can either be a hindrance or a boost to democracy. Kuwait again shows that there is always a dynamic relation between elements that hinder and those that promote and hence Kuwait remains in a state of flux in its transition to democracy as the pull and push factors are much in play. The political culture continues to be not yet sufficiently sympathetic also because of the segmented and divisive identities: conservative, liberal, urban, tribal, secular and religious which are constantly reinforced and manipulated by the regime at the expense of the democratic elements and the general democratic impulse of the society. Nonetheless, it is these contradictions and the dynamic

relation of state-society that carry with it the possibility of change.

The following chapter continues to assess the political reform process focusing on the deepening of the democratisation crisis during the period 2006-2013 as the dynamic of state and society became more confrontational and civil society more active and assertive as a result of the reassertion of Al Sabah authoritarian tendencies leading to a further significant undermining of the democratisation process.

## **Chapter Six: Reassertion of State Power and the Deepening of Kuwait's Democracy Crisis 2006-2013**

### **6.1 Introduction**

Following the increased activism of civil society movements (women and youth in alliance with Opposition MPs) as seen from the discussion in Chapter Five, Kuwaitis became more optimistic and hopeful about pushing forward the political reform process. Also, the period under investigation started off with what was perceived by many Kuwaitis as an enhanced standing of the National Assembly through the active involvement of the Tenth Assembly in resolving the crisis of succession, following the death of Amir Jaber Al Sabah on 15 January 2006. This, coupled with the remarks by the new Amir, Sheikh Sabah Al Sabah, of the importance of trust and the need of cooperation between the National Assembly and the Kuwaiti government gave further credence to that optimism.

However, during this period, Kuwait has become mired in a perpetual crisis between the National Assembly and the government, with the Amir resorting to his ultimate power as the arbitrator and decider of the fate of the assembly. The dissolution of the National Assembly, as seen from the previous chapters, has become common practice but over the short span of 2006-2013, the assembly was

dissolved 4 times, suffered two legal annulments of two elections (the February 2012 and the December 2012) and the unprecedented dissolution of the 2009 assembly twice. This instability forced Kuwaitis to go to the polls six times in seven years exposing the limited impact of the political reform process and the persistent unwillingness of the ruling family to relinquish its dominance and share power with the elected National Assembly. This period, hence, can be characterised as an abandonment of any semblance of a process of democratisation as the authoritarian tendencies of Al Sabah increased substantially, weakening the National Assembly further and undermining civil liberties and political freedoms as well as entrenching the antagonistic relation between the government and the National Assembly.

The chapter focuses on examining this deepening of the democratic crisis and starts off by discussing the succession crisis of 2006 and the effective role played by the Tenth National Assembly in its resolution, resulting in optimism about the process of democratisation at the beginning of the rule of Sheikh Sabah Jaber al Sabah. The discussion then moves to focus on the successive assemblies, elected during this period, in the same vein as seen in Chapters Three and Four, focusing on the level of interest in political participation (number of candidates, turnout and debates in the assembly). This is followed by an overall evaluation of these assemblies, highlighting the accentuation of the authoritarian tendencies of Al Sabah but also showing that despite the state's ability to dominate, civil society during this period became much more assertive and active in attempting to counter balance the power of the state in alliance with the reformist elements in the assembly.

The Chapter concludes, first in reference to Dahl's criteria indicating that despite the exercise of elements that denote democracy (political participation and contestation), the frequency of dissolutions and lack of impact of the assembly on the government, combined with the increased curtailment of civil liberties and political freedoms, an essential part of the exercise of democracy, has rendered the process futile as it lacked any degree of real and meaningful collective control over public policy. Secondly, in terms of Potter's scheme, this period, in a similar vein to the period discussed in the previous chapters, shows a pattern of a mixed influence of the factors that promote and those that hinder the process of democratisation, with a propensity for the factors that hinders to dominate.

Nonetheless, this reassertion of state domination was met with a reassertion of civil society activism, apparent in mobilising Kuwaitis to hold demonstrations and rallies, attracting thousands to protest the top-down decisions and measures of the Amir and his government. The substantial increase in bottom-up pressures indicate that civil society movements remain a determining factor of the possibility of democratising the political system.

## **6.2 The Role of the Tenth National Assembly in the Succession Crisis of 2006**

The nine days between the automatic succession of the ailing Crown Prince, Saad Al Sabah, on 15 January 2006 and his deposing on 24 January, witnessed two interrelated and significant developments for the democratisation process in Kuwait. First, the power struggle among Al Sabah, splitting the ruling family into two opposing groups; those in support of the accession of Saad and those in support of Sabah, became a public affair. It shattered a taboo in the Gulf States where deliberations over succession, especially when the competency of a ruler is challenged due to mental or physical fitness, are held exclusively within ruling family councils (Lawson, 2006: 109). Rumours of a power struggle among the ruling family over the position of the future Emir were confirmed in Kuwait when Sheikh Salem Al Ali Al Sabah (the senior and most respected member of Al Sabah family and the Head of the National Guards) in a statement to the local press on 10 October 2005 referred to it openly by indicating:

When our inherited traditions are overrun, and the senior figures of the ruling family are excluded, and the decisions are foreclosed but to one side without refereeing to these figures, a very dangerous matter is indicated...it is not permissible that the government becomes the opponents and the arbitrator at the same time... Separation of powers is a constitutional principle that must be maintained... Consequently, the government's situation is becoming increasingly unacceptable constitutionally and will raise doubt among the people and their representative unless the government address the real issues and their consequences, which from our point of view is an issue pertaining to the senior members of the ruling family. What we are discussing now is not a secret ... We have to work on solidarity of the ruling family since this affects the solidarity of the ruling family, stability, and unity of Kuwait and its people (Ibrahim, 2006:23).

He called for the formation of a troika, to address this matter, comprised of the Prime Minister, Sheikh Sabah Al Sabah, Sheikh Mubarak Abdullah Al Sabah and himself (Ibrahim, 2006:22). However, on 11 October 2005, the Emir, Sheikh Jaber in response spoke to the head of the National Assembly, Jasim Al Khorafi, indicating that he fully trust the Prime Minister, Sheikh Sabah Al Sabah. Accordingly Jasim Al khorafi held an extraordinary session for the National Assembly in which he conveyed the Emir's message to the MPs and in return the MPs renewed their trust and voiced their confidence in the Prime Minister (Ibrahim, 2006:23). In fact, Jasim Al khorafi had asked the ruling family in July 2005 to “settle all the differences among its senior figures, saying that the family was the only mechanism to cope with such differences, and he considered that the best way to deal with this issue was to restrict discussions to senior figures of the ruling family” (Ibrahim, 2006:24).

Following these events, Sheikh Sabah himself went public. He issued a statement in *Al Siyasa* newspaper on 22 November 2005 saying:

I would like to affirm that the leaders of the Kuwaiti State shall remain, and we are against any notion their posts should be inherited while they are alive. We should not forget that Kuwait is a state of institutions, and we thank God that these institutions are integrated and work in harmony. Yes, I hear of the criticism regarding the ruling family, and about relieving this or that figure in the family of his post, or about giving this position to X or Y, but this is not true. The leaders of our country shall remain, and we shall never allow the thought of their positions being inherited while they are still alive (Ibrahim, 2006:24).

Subsequently, the issue regarding the succession and the suitability of the ailing Crown Prince, Sheikh Saad, remained unresolved until the death of the Emir, Sheikh Jaber on 15 January 2006 when he automatically succeeded him. This brought to a head the succession issue regarding the ailing Emir and Sheikh Sabah's intention of challenging his suitability. The issue was also taken up by the local media resulting in widening public debate and making the succession a national concern, and more importantly influencing the outcome, especially in light of the liberal newspaper, *Al Qabas*, siding with Sheikh Sabah and calling on Sheikh Saad

to step down (ibid.,108). Also the editor in chief, Jasim Boodai, of *Al Rai Al Am* wrote strongly in support of Sabah Al-Ahmed stating:

Kuwait has rarely known such a dynamic, calm, and cautious personality. He was raised alongside the departed Emir and experienced everything with and was also with His Highness Shaykh Saad Al-Abdullah throughout all the stages of international relations and has benefited from both of them. Sabah Al-Ahmed is a man who was and will remain the voice of Kuwait and its image. His wisdom is needed now more than any other time to close the files forced open by circumstances. Your vision is required now more than any other time in order to turn over a new leaf. Your strength is needed now more than any other time to promote the Kuwait experience to the entire region; the experience of promise and contract between the ruled and the ruler (WikiLeaks, 2006)

The second development that accompanied the succession crisis is the confirmation of a change of a ruler, for the first time in the history of Al Sabah ruling family, through the constitutional process, seen by some as an enormous assertion of the power of the National Assembly and the need to share power (Yamani, 2006). This gave rise to huge expectations that a new phase in the relation between the assembly and the executive was emerging based on cooperation and collaboration.

Before delving into how the succession crisis was resolved it is important to clarify what the Constitution stipulates with regard to the heir and the system of government. There are four relevant stipulations: Article (4) stipulates, firstly, that “Kuwait is a hereditary Emirate” (monarchy) through the progeny of Sheikh Mubarak Al Sabah” (founder of the Emirate) and his descendants. Secondly, it imposes fundamental conditions regarding the heir, including: “The heir should be wise, sensible and enjoy good mental health and must be in a healthy condition in order to be capable of exercising his role as a ruler. Thirdly, the designation shall be effected by an Amiri order upon the nomination of the Amir and the approval of the National Assembly, which shall be signified by a majority vote of its members in a special sitting. Lastly, Article (60) stipulates that the Amir, before resuming his powers, must take an oath at a special session of the National Assembly. It is clear from the Constitution that Sheikh Sa’ad does not fit the criteria of “must be in a healthy condition” and able to “take an oath” due to his long serious illness. As

discussed in Chapter Four his inability to discharge his duties while Crown Prince and Prime Minister was the main reason that Sheikh Sabah was able to force the hand of Amir Jaber to separate the two posts and appoint Sheikh Sabah the Prime Minister.

To achieve his aim, Sheikh Sabah, first, turned to the ruling family to gain their support, which split Al Sabah into two camps, one supporting Sheikh Saad and other supporting Sheikh Sabah. The “Kuwait’s succession issue, on the one hand is complicated by the stipulations in the Constitution that restricts the right to rule to one branch of the Al Sabah, the descendants of Sheikh Mubarak Al Sabah, while on the other hand, in practice, the simple stipulation translates into a complex and informal procedure regulating the alternation of power between the two branches of descendants of Sheikh Mubarak’s two sons, Salem and Jaber” (Khalaf, 2006:46). Al Sabah family, by conceding the accession to the throne to Sheikh Sabah, would have helped in breaking this essential rule of alternation between the two branches. Thus his attempt to gain the approval of Sheikh Salem Al Ali Al Sabah and his son Sheikh Fahed Al Salem Al Sabah, in addition to Sheikh Saad’s wife, Sheikha Latifa Al Sabah, and her son Sheikh Fahed Saad Al Sabah - who represent the Al Salim branch- was essential to avoid a serious split in the cohesiveness of the ruling family.

Eventually after several private meetings, Sheikh Salim gave his approval conditioned on offering high governmental positions for certain members of the ruling family (Al Watan Voice, 2006). On the other hand, Sheikha Latifa and her son Fahed insisted on opposing Sheikh Sabah’s plans and opted to support Sheikh Saad as the ruler. However Sheikh Sabah managed to grant Sheikha Latifa her demands of “private jets, annual salary for the ailing Emir and his family and promises to offer high posts to her family members”, thus gaining her eventual support ( Al Watan Voice , 2006).

Sheikh Sabah, despite silencing the opposition of Al Salim branch of the ruling family, sought also the support of the Cabinet and utilised the articles of the Constitution to legitimately take the rein of power in Kuwait (Al Baik, 2006). As mentioned earlier, Article (60) of the Constitution, requires that the Amir be sworn

in before the assembly in order to resume his powers as a ruler. This offered Sheikh Sabah the opportunity to get the support of both the Cabinet and the National Assembly to be the Amir of Kuwait. The Cabinet decided to activate the constitutional procedures set forth in Article (3) of the Amir Succession Law pertaining to the Amir's incompetence due to his mental and physical inability to exercise his powers. Thus the Cabinet on 23 January 2006 sent a letter to the assembly stating: "The Amir Sheikh Sa'ad has lost his health capability to exercise his constitutional prerogatives", in effect asking the assembly to use its constitutional mandate in determining whether or not Sheikh Sa'ad possessed the capacity to serve as ruler (BBC, 2006). Ironically, on the same day the assembly received another letter from Sheikh Sa'ad, which included an order to hold a session to take the oath the same evening. However, the assembly's Chairman and Speaker Mr Jassem Al Khorafi "refused the demand" suggesting that the assembly will decide the Amir's fate in a vote in the Assembly (Tetreault, 2011:167).

According to the Constitution the assembly requires a vote by a two-thirds majority to depose an Amir on the grounds of ill health (BBC, 2006). Some thought that majority was not guaranteed. However, moments before an official letter of resignation of Sheikh Saad was received, the assembly deposed him in a unanimous vote in the session held on 24 January 2006, (Tetreault, 2006). Due to this, it was incumbent on the Cabinet to exercise the function of state president pursuant to article (4) of Amir Succession Law and recommended Sheikh Sabah Al Ahmed Al Jaber Al Sabah for the position of the Amir of the State of Kuwait, who was at that time the Prime Minister. Sheikh Sabah received the endorsement of the assembly and won their votes as the new ruler and took the oath to become Amir, in an extraordinary parliamentary session, on 29 January 2006 (ibid.). In a gesture of appreciation of the National Assembly's role in settling the succession crisis, the Amir expressed the view that, "Your trust is an honour" (KUNA, 2012). In addition, Sheikh Sabah in his first public speech, in his role as Amir of Kuwait, emphasised cooperation with the Kuwaitis saying that, "No leader can succeed unless he has his people's cooperation" (KUNA, 2012). The Amir was seeking the approval of the assembly and the people and hinting at the legitimacy of his succession over Sheikh Saad - who died on 13 May 2008 after ruling Kuwait for few days.



Sheikh Sabah was the first ruler to come to power by challenging royal norms, and consequently enhanced the power of his own branch of Jaber Al Sabah at a time where the turn was for Al Salim branch of the family to rule. He not only “broke an unwritten rule in Kuwaiti politics that power was to alternate between the Jaber and Salim branches of Mubarak’s descendant” (Roberts 2011: 94), he also appointed his half-brother, Sheikh Nawaf Al Ahmad Al Sabah, Crown Prince and his nephew Sheikh Nasser Mohammad Al Ahmad Al Sabah the Prime Minister leading to what was described by (Tétreault, 2011) “as a monopoly of power”, of Al Jaber branch. The appointment of Nasser Muhammad Al Jaber Al Sabah as Prime Minister brought about a power struggle within the second generation of the ruling family, and that played out in the assembly where co-opted representatives sided with one faction against the other and used interpellations as the tool to counter the power of each other (Azoulay & Beaugrand, 2015). This added a new element to the divisions in the assembly and consequently played a role in the frequency of dissolutions and the impasses that characterised the assemblies during this period, undermining the process of political reforms.

From the view point of Kuwaitis, they saw the crisis and its conclusion as a victory for the Kuwaiti Constitution and the rule of law, as suggested by the chairman and speaker of the Tenth National Assembly, “Kuwait built on tribalism, and run by one family, yet you can go through something like this while life goes on outside, without security men or tanks on the street ”(Fatah, 2006). Affirming this view, Al Ghabra stated, “The contribution of the assembly for the first time to remove the ailing Amir Sheikh Saad and appoint Sheikh Sabah is very significant...It is a historical moment in Kuwait’s politics to see that the assembly actually participated in selecting the new Amir. This never happened before not in Kuwait not in any GCC state” (Interview, 2013). The invigoration of the authority of the National Assembly gave rise to popular expectations of an enhanced role of the assembly and a strengthening of the political reform process. Opposition newspapers started to demand that the Prime Minister be entrusted to someone outside the ruling family, especially that Amir Sabah had institutionalised the separation of the post of Crown Prince and Prime Minister by appointing two different Al Sabah members to each post, thus opening the door to that possibility. In addition, the MPs began to lobby the government to permit the formation of political parties (Lawson, 2009).

However, as the discussion in the following section of the successive assemblies elected during 2006-2013 shows, the process of political reforms has in effect regressed and the relation of National Assembly and the State deteriorated significantly undermining political reforms and the process of democratisation, despite the increased vocal political activism of the civil society in alliance with the Oppositions MPs in the assembly. This period saw more protests and large rallies opposing Al Sabah's top-down measures and policies and demanding the democratisation of the political system than any other period. This affirms—as suggested in the previous chapters— that the society, in spite of the “rentier” nature of the economy and the high dependency of the society on the state's economic activities, is neither passive, nor acquiesce, which keeps the prospect of political change realizable.

### **6.3 The Successive National Assemblies of the Period 2006-2013**

The weakening and undermining of the political reform process is manifested, clearly during this period by the repeated dissolutions of the assembly (four in total), the annulment of two elections, and dissolving one assembly twice. This resulted in deepening the schism between the National Assembly and the government and increasing political instability that held up Kuwait's economic reforms and investment projects and programmes. The disruption, delay or block of the necessary legislative measures needed for Kuwait to face its economic challenges as well as the needed legislation to implement its economic development plans have severely impacted on the economic progress of Kuwait (Al Qabas, 2017).

This, also, increased the tension between the Kuwaiti civil society and the state expressed by the increased level of political mobilisation at street level; rallies and demonstrations attracting thousands in opposition to government's top-down policies and practices. Thus, challenging the state became, as indicated by interviewee (1) “no more the privy of the National Assembly, the State has become increasingly embroiled with street level political activities” (Interview 2013). As discussed in Chapter Five, this is a continuation of a trend of increased activism on the part of civil society and less focus on the National Assembly as the only

institution that can counter the power of the State and Al Sabah. The *diwaniyyas* continued to act as a gathering place for MPs to discuss their electoral campaigns and engage with Kuwaiti citizens. With women given their political rights, women *diwaniyyas* also emerged and even mixed gender *diwaniyyas* began to appear as Al Othamn stressed, “this is changing the political culture towards women’s political role” (Interview, 2013). The *diwaniyya* continued, also, to function as an alternative to public places. Recall from Chapter Three how the Amir when he dissolved the Sixth Assembly in 1986, called for communication via the *diwaniyyas* arguing that those institutions are more representative of citizens than the assembly. However this position shifted during this period as these informal gathering places started to appear threatening. For instance, a gathering on 8 December 2010 in the *diwaniyya* of the ex-MP, Jam’an Alharbash, where Obaid Al Wasmi (a Law professor at Kuwait University) was giving a speech attracted a large number of Kuwaitis estimated at about 150 (AMNESTY, 2011). Nonetheless, the government opted to use heavy-handed tactics in order to disperse the private gathering (Al Jazeera, 2011).

The military forces along with the police surrounded the area, while special forces entered the house and attacked the attendees, some of the MPs were injured, while Al Wasmi was arrested, accused of violating the Law of Public Gathering of 1979 in which more than 20 people must have a police permit in advance (Al Watan, 2010). The offices of Al Jazeera satellite channel in Kuwait, who aired the events, were closed “as the MOI accused them of interfering in Kuwait’s internal affairs and threatening the national security” (Al Jazeera, 2010). This is an indication of the increased intolerance of Al Sabah even of this long standing and well established tradition of using *Diwaniyyas* as safe places for meeting and debating, as well as the escalation of the repressive means to restrict civil liberties and political freedoms and freedom of the media.

The following discussion expands on these developments by examining separately each of the assemblies elected during 2006-2013.

### 6.3.1 The Eleventh National Assembly 2006-2008

The Tenth assembly, elected in 2003 was dissolved on 21 May 2006 as a result of the pressures emanating from the Orange Movement and the demands for redefining the electoral districts (KNA, 2011a). The Amir ordered new elections to be held on 29 June 2006 in the hope of returning a more pliable assembly and more importantly to evade the issue of the amendment of the election law.

The elections for the Eleventh Assembly came not just in the wake of the dissolution of the Tenth Assembly but also in the wake of the Law (17) 2005 giving women political rights. Thus, there was a noticeable increase in the number of eligible voters, reaching 340,248 voters from the level of 136,715 in the previous assembly; the number of the registered female voters was 149,614 approximating 43 per cent of total eligible voters (Doumato, 2011). The total number of candidates was 249; among them were only 27 women running against 222 men, voter turnout was high at 77 per cent (see Table 6.1) but much lower in comparison to the previous assembly where turn out stood at a high 90 per cent.

**Table 6.1: Political participation in the 11th National Assembly 2006**

<i>Date of Elections</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		
29 June 2006	25	222	27	340248	77%

*Source: MOI, 2017*

None of the women won a seat, constituting quite a blow to women candidates and voters alike. However, this can be attributed to the fact that the time span, between the dissolution of the Tenth Assembly on 21 May 2006 and the holding of the new election on 29 June 2006, did not give women enough time to prepare and organise,

especially that this was the first time to run as candidates and to exercise the right to vote. So it should not be a surprise that none of the candidates won a seat, nor did they introduce any kind of change in the type of MPs and composition of the assembly. As Doumato observed, “as male Islamic assembly members had calculated, women voters are socially conservative and cannot be presumed to support other women” (2011:211). Similarly, Brown observed that “woman performance in the elections did not change a thing” and that they are not different in their political views than men, stating that they for example, “have strengthened the Islamists in at least one case where women voters pushed a candidate from the ICM: a movement that had opposed granting full political rights to women victory” (2008a:5).

The role played by political culture and patriarchy in women’s failure to win a seat, is acknowledged by Al Yousifi indicating, “The electoral reform was a challenging one to the women themselves in such a conservative society where most of the blocs were not ready to challenge the traditional norms in society in support of women candidates” (Interview, 2013). Besides that, Al Abdullah argues “in 2006 the Kuwaiti society and the political blocs were not ready to see women in the assembly” (Interview, 2013). There was also the element of fear, where “losing a few voters from those reluctant to support a woman may spell the difference between victory and defeat; so most blocs fielded all-male slates” (Brown, 2008a: 5). Thus political culture on the one hand values contestation and political participation but on the other hand has not yet translated into support to women candidates as it primarily contradicts with the traditional view of women and the different roles expected of men and women. As indicated by Al Abdulrazzaq, “that change requires more effort on the part of civil society especially women organisations in raising the awareness of women themselves so they are able to support women candidates. One must not forget that gaining the right to fully participate in the political process is a significant first step towards the eventual integration of women as full partners and equal to men” (Interview 2013).

Al Awadhi emphasises that “even the exercise of political rights have not helped women to empower themselves as the results of the elections of 2006 reveal. What

did the women do? They instead of empowering themselves, empowered men and encouraged male dominance in the society through voting to those who opposed offering their political rights” (Interview, 2013). Furthermore she stresses that the results of the 2006 elections were expected because of the “mentality of the Kuwaiti women” and the way “Kuwaiti women are brought up ” stating that in our society women are always oppressed socially. However, she does not deny that Kuwaiti women realised the importance of having the right to vote and run for office, stating “women recognised they are not less than men...this was evident in the next elections” (Interview, 2013). To some extent, having the right to vote does not instantly, despite the long wait for it, translate into a radical shift of how society perceives women and their role, and how women themselves choose to use such a right. But that political right opens the door for the possibility to promote the empowerment of women and to struggle towards removing the cultural/traditional and institutional barriers limiting the full engagement of women in all aspects of the economy and the society.

The election did not return the desired assembly that Al Sabah hoped for as the Opposition took more than two thirds of the seats in the assembly (Assiri, 2007:143). The composition continued to reflect the three main political blocs: 23 candidates represented the various tribes, 19 represented different Islamic blocs while only 4 represented the liberal/secular bloc. Consequently, as pointed out in the previous chapter, the assembly passed the amendment that was fought for by the Orange Movement and Law No. 42 /2006 reduced the electoral districts from 25 to 5 (Al Kuwait Alyoum, 2006). Also, the assembly, having had such a strong presence of Opposition MPs, attempted to assert its constitutional right to hold the government accountable through the only constitutional mechanism available to them, the interpellations of ministers. Assembly members continue to be excluded from the Cabinet where they can be directly involved in governing and policy formation, and beyond the symbolic one or two in non-crucial ministerial posts; key posts of Defence, Interior and Foreign Affairs are still reserved for Al Sabah family members.

This assembly requested seven interpellations addressed to various ministers, as seen in Table 6.2. Most of these interpellations were unsuccessful in effecting any accountability as either these ministers resigned (Minister of Information, Minister of Energy and Minister of Health); were removed by an Amiri decree (Minister of Awqaf and Islamic Affairs) or moved to another position (Minister of Finance moved to the Oil Ministry but eventually resigned (KNA, 2015a). Resignations became the way out of being held accountable by the assembly, further angering the MPs and increasing levels of frustration among Kuwaitis in general. Only one interpellation took place, addressed to the Minister of Education, Nouria Al Subeih, in January 2008. She was accused of mismanagement and also challenged on her position as a minister on the ground that Sharia law does not allow women to work in high positions in the government (Al Mdaires, 2010), indicating the continuation of opposition by some Islamists of women political participation. The Minister, however, survived the vote of no confidence by 26 against and 19 for, with two MPs refraining from voting. But she acquiesced to approving an extension of the law of segregation (adopted in 1996) between females and males at Kuwait University to private universities and to high schools as well (Tetreault, 2011:87).

***Table 6.2: Interpellations of the Eleventh National Assembly 2006***

<i>Number of Interpellations</i>	<i>Ms presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Faisal Almoslim 3 December 2006	The Minister of Information  Mohammed AlSanousi	The minister resigned, so the interpellation was not valid and was moved from the agenda
2	Waleed Al Tabataba'ei  Ahmed Al Shahoumi  Jama'an Al Herbesh  17 January 2007	The Minister of Health  Sheikh Ahmed Al Abdullah Al Sabah	A vote of no confidence was presented but the Cabinet of resigned on 4 March 2007, one day before the vote of no confidence was to take place

3	Adel Al Sarawi Abdullah Al Roumi Mussalam Al Barrak 10 June 2007	The Minister of Energy  Sheikh Ali AL Jarrah Al Sabah	A vote of no confidence was presented but the minister resigned before a no-confidence vote could be held
4	Waleed Al Tabataba'ei  Faisal Al Moslim 25 August 2007	The Minister of health  Masouma Al Moubarak	The interpellation was presented but on the same day the minister resigned
5	Dhaif Allah Bouramyah  22 October 2007	The Minister of Finance  Bader Al Homaidi	The interpellation was not discussed as the minister was moved to the Oil ministry. However, he resigned in 16 November 2007
6	Ali AlOmiar Waleed Al Tabataba'ei 22 October 2007	Minister of Awqaf and Islamic Affairs  Abdulla Al Ma'touq	The interpellation was not discussed and the Minister was dismissed from his position by Amiree Decree No.329/2007 issued on 28 October 2007. This is the first time for that to happen in Kuwait.
7	Sa'ad Alshura'i  24 December 2007	The Minister of Higher Education  Nouria Al Subai'h	A vote of no confidence was requested and the minister survived as 26 MPs voted against while only 19 for and 2 refrained

Source : KNA, 2016

However, a rift in the relation between the MPs and the government continued to grow coming to a head over demands by MPs for a further salary rise for Kuwaiti civil servants, which had been rejected by the Cabinet. The demand to increase salaries seems at odds with the time where economic reforms especially controlling public expenditures and the massive wage bill have been a top priority of the state. The resignation letter of the Cabinet on 17 March 2008, however, complained the MPs were “interfering” in government business and had “disabled the cabinet from carrying out its responsibilities”. Consequently, the Amir, Sheikh Sabah, announced on 19 March 2008 the dissolution of the Eleventh Assembly and called for new elections to be held on 17 May 2008 (KNA, 2011a). With each new



suspension the legitimacy of the political reforms and the commitment of Al Sabah to share power with the constitutionally guaranteed people's representative diminishes making it more difficult to establish a cooperative relation between the assembly and the executive. As indicated by Al Awadhi "the sincerity of Al Sabah in sharing power is chipped away with each successive suspension" (Interview 2013), while interviewees (9) (member of an Islamist bloc) and (10) (member of a secular bloc) complained of the short sightedness of some MPs and questioned their motivations indicating that some of the Opposition has become self-serving (Interviews, 2013).

### **6.3.2 The Twelfth National Assembly 2008-2009**

The new elections called by the Sheikh Sabah in the wake of the suspension of the Eleventh Assembly were the first to run in accordance with the new election Law No. 42 of the Year 2006. Therefore, it is very important to assess whether that political reform had produced the desired outcomes of making vote buying harder, increasing women's chance to be elected and encouraging candidates to campaign based on political platforms that allow for alliances beyond the narrow electoral base of each political blocs (O'Grady & Meyer-Resende 2008:8), and hence moving away from the political culture that emphasises 'constituent service' MPs.

Elections were held on 17 May 2008 and turnout was low, less than 53 per cent. This is understandable considering the constant political clashes and impasses between the cabinet and the assembly, in addition to being the third election called for in three years. Approximately 362,000 Kuwaitis were eligible to vote and the number of female candidates was 28, while males reached 246, as seen in Table 6.3.

***Table 6.3: Political Participation in the Twelfth National Assembly 2008***

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		

17 May 2008	5	246	28	361684	53%
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*Source: MOI ,2017*

The results show that none of the female candidates won and seats have been distributed in the customary pattern: Islamist blocs won 29 seats (21 Sunni and 9 Shi'a,) liberal/secular bloc won 7 seats and tribal representatives and pro-governments won 17 seats (Al Mdaires, 2010). That composition indicates that the three main desired outcomes of the amendment to the election law did not materialise at least on the short term; women failed to win any seat, alliances between various political blocs to campaign on national platforms did not happen, and instead of buying votes, they resorted to trading votes to maximise votes. This strategy, admitted by some blocs such as the Islamist and tribal forces, involves encouraging supporters of the candidate of one bloc to vote for candidates of another bloc on the understanding that the other candidate's supporters reciprocate, thus bringing in new votes or maximising the vote (O'Grady & Meyer-Resende 2008: 29).

Interviewee (2) and interviewees (1 & 4) argued that shifting the long established voting behaviour based on the segmented and divisive affiliations to voting based on political programmes needs time as well as a shift in political culture. They also indicated that the same could be said about women candidates, perhaps more so, as shifting traditional patriarchal views of women is very difficult and needs increased mobilisation from women organisations (Interview, 2013) Most of the interviewees acknowledged that the desired or expected benefits that were attached to the amendment of the electoral districts were either premature or unrealistic as a change in the law without addressing the bigger issue of the unfairness of the electoral weights of the different districts as well as the entrenched political attitudes that continue to vote on the segmented and divisive affiliations and identities. Campaigning on political agendas or programmes remains very weak and undeveloped.

The assembly did not last long. The MPs requested the questioning of the Prime Minister, Sheikh Nasser, over a recent visit of the Iranian Shiite cleric, Mohammad Baqer Al Fali, who was banned from entering Kuwait after he was convicted by the Court of “insulting some of the Prophet Mohammad's companions, and was fined KD10000 (37,000 USD) by a lower court in June 2008” (Al Arabiya, 2008). However, in November 2008, Al Fali entered Kuwait, arriving from Iran, Tehran, and was detained for a short period of time before being released and allowed to remain in Kuwait. Allowing him to enter and remain in Kuwait angered the MPs who argued that it was illegal (Al Arabiya, 2008). In order to evade being questioned by the MPs, and thus avoid a vote of no confidence, the Cabinet resigned on 8 November 2008.

Despite this obvious collapse of the relation between government and assembly the Amir re-appointed Sheikh Nasser as Prime Minister in December 2008, and most of the ministers were retained with the Foreign Minister, Sheikh Muhammad Al Salem taking on an additional role as acting Energy Minister. As a clear indication that using resignation as a tool to avoid questioning does not work, the Cabinet was faced with more questioning from the MPs. Three interpellations, as seen in Table 6.4, were requested at the start of March on the 1, 2 and 9 demanding that the Prime Minister answer questions on a number of grievances in relation to mismanagement of oil revenues, misuse of public funds, alleged financial irregularities at his *Diwan*, office, and an accusation of being responsible for allowing the demolition of two mosques built illegally on state land (Al Arabiya, 2009). However, two days before the date of the questioning, on 16 March 2009, the Prime Minister resigned for the fifth time since he assumed the post in 2006 (KNA, 2011a:48).

This time the resignation of the Cabinet was followed by an Amiri decree dissolving the assembly on 19 March 2009 (KNA, 2015a). It stated that the dissolution was inevitable due to “certain circumstances and the fact that some did not adhere to the laws and the Constitution in using their tools to watch and check the executive branch, therefore, and in order to secure the country’s national safety and stability this dissolution was a must” (MONA: 2015:26). The Amir, reverted to the same reasoning (used many times) of political stability and national security to justify the

dissolutions, however, the real issue is that Sheikh Sabah did not accept the political pressure caused by the frequent requests of the MPs to question the ministers, especially the Prime Minister.

**Table 6.4: Interpellations of the Twelfth National Assembly 2008**

<i>Number of Interpellations</i>	<i>MPs Presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Waleed Al Tabataba'ei Mohammed Hayef Abdullah Al Barqash  18 November 2008	The Prime Minister  Sheikh Nasser Al Sabah	The government resigned in 25 November 2008 and the Amir accepted the resignation 14 December 2008
2	Faisal Al Moslim  1 March 2009	The Prime Minister  Sheikh Nasser Al Sabah	Interpellations 2, 3, and 4 did not take place because the government resigned in 16 March 2009 and the Amir accepted the resignation on the same day. On 18 March 2009 the Amir dissolved the assembly and called for new elections.
3	Dr Jama'an AlHerbesh Dr Naser AlSane'i Abdul Aziz ALShayji  2 March 2009	The Prime Minister  Sheikh Nasser Al Sabah	
4	Mohammed Hayef  9 March 2009	The Prime Minister  Sheikh Nasser Al Sabah	

Source: KNA, 2016

For that reason, Jamal sees the effect of the separation of the two posts of Crown Prince and Prime Minister as undermining the process of governing. He stressed “Kuwait’s political system, before the separation of the two posts, was more stable and the National Assembly had red lines that MPs would not cross in terms of their criticisms of the government and Al Sabah, and that was needed in the political culture of Kuwait, where respect of the posts of both Crown Prince and Prime Minister facilitates the stable functioning of the state and avoids the current political deadlocks and antagonism” (Interview, 2013). The real issue, however, is that the executive and the Amir are reluctant to share power and to allow the National Assembly to use its constitutional right as a legislative arm of the state. It is that unwillingness that ends up with MPs insisting on their right to question the government resulting in gridlock and impasse followed by dissolution. The fact that the Prime Minister is appointed by the Amir and is from Al Sabah family makes his questioning difficult to accept by both the Amir and the ruling family.

That is why, as mentioned before, there have been calls over the years for the Prime Minister to be elected by the assembly and hence directly accountable to the electoral body removing this sensitivity about his questioning. As indicated by interviewee (11) (lecturer at Kuwait University) “as long as the Prime Minister is appointed by the Amir and is a member of Al Sabah family, assembly members will not be permitted to question him freely and hold him accountable” (Interview, 2013). There is also the issue of the attitude of the ruling family towards the National Assembly desiring a rubber-stamp body or government-friendly one. This explains the continuance interference in elections via manipulations of the various political and social blocs playing one against the other, and aiding those most pro-government. Also, this attitude aids some of the Opposition MPs, to use questioning as a self-serving tool to assert their authority and assertiveness especially in relation to their constituency and those who voted them in. As a majority of the anonymous interviewees (1, 2, 6, 12, 11) and (8) (Blogger and political activist) as well as Al Ghabra and Alwadhi indicated, the blame for the impasse and gridlock lies in both the assembly and the government (Interviews, 2013).

### **6.3.3 The Thirteenth National Assembly and the Turbulent Period 2009-2013**

The period 2009-2013 represented a high level of political instability and turmoil leading to a total collapse in the relation between the legislative and the executive as well as increasing the anger and frustration of Kuwaitis. The escalation and accentuation of the already strained relation between the assembly and the government is indicated by three dissolutions, four elections and two annulments of elections in the span of four and a half years. This political instability has affected the functioning of the government and delayed addressing many of the economic challenges facing Kuwait that required cooperation and collaboration between the assembly and the government. The increased economic pressures on the government to carry out unpopular austerity measures such as raising prices and /or removing subsidies, further aggravated the situation. For instance one of the most difficult subsidies to remove has been the fuel subsidy. Energy subsidies have long been a significant expense to the state, and all GCC countries have increased petrol prices in light of the drop in oil prices except Kuwait, due to resistance from the National Assembly, labour unions and most Kuwaitis (Oxford business group, 2016).

The long dependency of Kuwaitis on the state and its generous benefits and subsidies has made “rolling back popular subsidies” and reforming public sector expenditure controversial, and resistance to such measures extensive (ibid). That is why it has been crucial for the government to embark on “confidence boosting measures that might craft a consensual way forward for Kuwait” with the National Assembly, if Kuwait is to face its economic challenges (Ulrichsen, 2012). Such a view is reiterated by some of the interviewees (1,2,6,9&10) affirming that cooperation with the National Assembly, consensus building among Kuwaitis and a move away from the confrontational and adversarial politics is essential to overcome the significant economic problems facing Kuwait (Interviews, 2013). The following are details of this period of extreme political volatility that caused an impasse in government and also undermined the process of democratisation.

#### **1. The Thirteenth National Assembly 2009**

The start of this highly unstable period coincided with the fresh elections of the Thirteenth National Assembly, held, as ordered by the Amiri decree, on 17 May 2009 as a result of the dissolution of the Twelfth Assembly (KNA, 2011). Only 210 candidates ran with a decreased number of women candidates (16) as compared to the previous two elections and turn out was relatively low at 58 per cent of total eligible voters, of whom 175,679 were men and 209,111 were women, as seen in Table 6.5.

**Table 6.5: Political participation in the Thirteenth elections of the National Assembly 2009**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		
16 May 2009	5	194	16	384790	58%

*Source : MOI, 2017*

During this election two CSOs, Vote for Kuwait (information centre) and the more explicit advocacy organisation, ‘*Sawt Al Kuwait*’, Voice of Kuwait, became heavily involved in the election campaigning, bringing new initiatives to Kuwaiti politics, especially with respect to voter mobilization and lobbying. Leaders of Vote for Kuwait created an interactive website providing regularly updated rally and public speaking schedules, statements issued by political groups, and the most up-to-date information on agreements between two or more candidates to convince their core supporters to vote for both of them and their allies. The founders wanted to reach voters who were reluctant to attend a rally or speak with a candidate” (Tetreault and Al Ghanim, 2009).

On the other hand, and as a sign of increased intolerance of dissent, the government resorted to intimidation tactics against some of the vocal politicians and candidates. For instance the tribal MP, Khalid Al Tahous, was arrested and accused “of

incitement against the state” because he publicly warned the Minister of Interior that “Kuwaiti tribes would oppose any attempts to enforce the law prohibiting tribal primaries, recalling the violence of the 2008 campaign, when tribesmen surrounded a police station demanding the release of persons arrested for violating the law” (Tetreault and Al Ghanim, 2009).

Dayfallah Abu Ramya, another tribal leader, was arrested on 17 April 2009 for commenting on the leaked news, that senior Al Sabah members were thinking of replacing the Prime Minister, Sheikh Nasser, with the deputy Prime Minister and Minister of Defence, Jabir Al Mubarak, indicating that Sheikh Jabir Al Mubarak was not suitable for such a post. As a result of his comment, he was accused of challenging the Amir’s power to appoint and dismiss ministers. Their arrests, however, contributed to their substantial win in the elections (after they were questioned by the police, they were both released and allowed to run for elections) (Tetreault and Al Ghanim, 2009). The government also arrested the urban candidate Khalifa Al Khorafi, because in an interview aired on Kuwaiti TV he criticised the Royal family saying, “Neither the Amir nor the other Al Sabah possessed the faculties needed to run the state”, however, he lost in the elections (Tetreault and Al Ghanim, 2009). As interviewee (13) (a lecturer at Kuwait University) indicates “it is the lack of tolerance on behalf of the ruling family and their avoidance of sharing power with the assembly that pushes some MPs to personalise their attacks on Al Sabah and by doing so they further aggravate the situation. It becomes a game of point scoring between Al Sabah and the MPs” (Interview, 2013).

Election results gave women four seats: Aseel Al Awadi (secular/liberal), Rola Dashti (secular/liberal), Salwa Al Jassar (moderate Sunni Islamist) and Massouma Al-Mubarak (the first women minister appointed by the Amir, Sheikh Sabah in the Cabinet of July 2005, heading the Ministry of Planning and Administrative Development) (Shalaby, 2015). This is an indication that it is a matter of time and experience before women increase their chances of winning seats. Although the number of women candidates and number of seats won is insignificant compared to the dominance of male candidates and winners- it is the start towards more progress. Al Othman expressed a very optimistic view indicating that “Women participation is changing the political arena and even the women themselves, their



personality has changed and you can notice that they are empowered and vocal...they are no more on the audience seats just watching, now they are on the field” (Interview 2013). Al Awadhi supports this view by adding that she notices “a difference. Now females realise how valuable they are ...the females in our society now realise that they could use their vote to actually make a change... but it still needs more time, and increased awareness especially in countering the patriarchal force within the Kuwaiti society, removing the distinction between men and women and that women are only suitable for home and raising kids” (Interview 2013). As these interviewees indicate, women participation is the way forward for gender equality but as for pushing the process of democratisation, women deputies tended to side with the government.

The rest of the seats were distributed between the main political blocs; the Islamists won 20 seats (11 seats to Sunni and 9 Shiites), the Liberals took 10 seats up from seven while candidates from six tribal groupings won a total of 20 seats. These results continued to reflect the same pattern of segmented seats based on religious/tribal/secular basis without any signs that political forces are moving towards forming alliances beyond the traditional blocs. As observed by Geoffrey Gause (2009) the amended election law did not achieve the goals of the Orange Movement and did not solve Kuwait’s constant political crisis between the assembly and the government. Also the Amir on 21 May 2009 reappointed Sheikh Nasser as Prime Minister, a source of much tension and antagonism for National Assembly members. Additionally, he notes “Unless the Prime Minister ... is willing to play assembly politics, face confidence motions and put together coalitions to defeat them, we will probably have a replay of the political crises that have led to the past three election” (ibid.). That is exactly what happened as no attempt was made by the government to accept being questioned and to accept the assembly’s responsibilities in holding the cabinet accountable.

The assembly, consequently, witnessed 16 interpellations, a very high number especially in comparison to the other assemblies. This is a sign of the increasing deterioration in the relation between the government and the assembly and lack of cooperation on many pressing issues such as to the longstanding issue of corruption and misuse of public funds. According to Transparency International, Kuwait is

ranked as the most corrupt among the Gulf States, and as expressed by the MP Shuaib al Muwaizri, “The future of Kuwait is threatened by the pervasiveness of corruption, putting the country and the people in what I call a ‘resuscitation room’ in dire need of prompt recovery in order to end corruption by all means” (Al Qabas, 2016).

A close scrutiny of these interpellations, however, reveals that the assembly was weak in holding the government accountable. It escaped 6 votes of no confidence (4 of these were held in private sessions), 6 interpellations did not take place (2 because the minister in question resigned, 1 was withdrawn and 1 was removed, 2 were not discussed), another 3 did not take place because the government resigned and one interpellation was removed with the approval of the National Assembly, and the last interpellation to question the Prime Minister did not happen because the government resigned again (see Table 6.6). Most of these interpellations were aimed at key posts: 6 for the Prime Minister, 3 for Minister of Interior, 1 for Minister of Defence and 1 for Minister of Oil.

***Table 6.6: Interpellations of the Thirteenth National Assembly 2009***

<i>Number of Interpellations</i>	<i>MPs presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Mussalam AlBarrak 8 June 2009	The Minister of Interior  Sheikh Jaber Al Khalid Al Sabah	A vote of no confidence was presented. The result of the vote was in favour of the minister: 30 against, 16 for and 2 MPs refrained
2	FaisalAlmoslim  15 November 2009	The PM  Sheikh Nasser Al Sabah	The interpellation was discussed in a private session and for the first time a prime minister was questioned. The result of the vote of no confidence was in favour of the PM: 13 for, 35 against and one MP did not vote.
3	Mubarak Alwa'alan 18 November 2009	The Minister of Municipality  Fadel Safar	The assembly only discussed the interpellation
4	Mussalam Al Barrak  18 November 2009	The Minister of Interior  Sheikh Jaber Al Khalid Al Sabah	A vote of no confidence was presented. The result of the vote was in favour of the minister as 31 refrained from voting while 18 voted for
5	Dhaif Allah Bouramyah  19 November 2009	The Minister of Defence  Sheikh Jaber Al Khalid Al Sabah	The interpellation was held in a private session. A recommendation was made to pay money for the relatives of the Adaira'a accidents and to be treated like martyrs by Kuwait's Martyrs' Office
6	Ali Aldouqbasi  23 February 2010	The Minister of Information and Oil  Sheikh Ahmed Al Abdullah Al Sabah	A vote of confidence was requested. The result of the vote was in favour of the minister: 23 voted against, 22 for, whereas 3 MPs refrained
7	Khalid AlTahoos  30 May 2010	The Prime Minister  Sheikh Nasser Al Sabah	The assembly agreed to the request of the government to hold the session in private, however, the MP withdraw the request and it was removed from the agenda of the assembly

8	Dama'an AlHerbesh Salih ALMulla Mussalam AlBarrak  30 November 2010	The Prime Minister  Sheikh Nasser Al Sabah	The assembly accepted the government request to hold the session in private and the interpellation took place. The PM survived a vote of no confidence in a session held on 5 January 2011: '25' MPs against, 22 'for' 1 MP refrained. This is second time the PM survives a vote of no confidence
9	Waleed AlTabtabai ShuaibAlMouiszr Salim AlNamlan 24 January 2011	The Minister of Interior  Sheikh Jaber Al Khalid Al Sabah	The interpellation did not take place because the minister resigned
10	Adel ALSarawi MarzooqALQanim 22 March 2011	The Minister of Residency and Development  Sheikh Ahmed AL Fahad	Interpellations 10, 11 and 12 did not take place as the government resigned on 31 March 2011.
11	Faisal AlDouwaisan 29 March 2011	The minister of Information and Oil  Sheikh Ahmed Al Abdullah Al Sabah	
12	Salih Ashoor 30 March 2011	The Minister of Foreign Affairs  Sheikh Mohammed Al Sabah	
13	Adel Al Sarawi Marzooq Al Ghanim  15 May 2011	Minister of state for Housing &Development Affairs  Ahmed Al Fahad Al Sabah	The minister resigned and an Amiree decree was issued accepting his resignation so the questioning was removed from the agenda

14	Mubarak Mohammed Al Mutairi  Waleed Al Tabtabai  22 May 2011	The Prime Minister  Sheikh Nasser Al Sabah	The questioning was held in a private session after the end of its discussion 10 MPs presented a letter of non-cooperation with the PM in a session held in 23/6/2011. The PM survived the vote: 25 'against', 18 'for', while 6 refrained
15	Khalid Faisal Musallim  23 June 2011	The Prime Minister  Sheikh Nasser Al Sabah	The request was withdrawn as it was concerned with the allegation of misuse of public funds and lands
16	Abdularahman Al Anjiri  Faisal Musallim  15 November 2011	The Prime Minister  Sheikh Nasser Al Sabah	The questioning did not take place (the interpellation was concerned with bribes and the transferring of money from public funds to the private account of the PM abroad) because the government resigned in 28 November 2011 and an Amiree decree was issued dissolving the assembly in 3 December 2011

Source: KNA, 2016.

The strained relation between the assembly and the government culminated in a campaign to oust the Prime Minister. Although this campaign coincided with uprisings of the Arab spring that erupted in December 2010, it had its domestic roots and was motivated by popular demands to remove Sheikh Nasser Al Sabah from his position as Prime Minister. As a result of this Kuwait witnessed an escalation of political unrest and protests.

The spark of the unrest was the corruption scandal that was known as “the MPs’ deposit Graft Case” when Al-Qabas newspaper published an article on 20 August 2011 concerning a secret report issued by Kuwait’s Central Bank indicating that unnamed government officials had transferred millions of dollars to MPs accounts out of Kuwait (Baker, 2011). This implicated 15 MPs, allegedly having received bribes of around 360 million USD, deposited into their bank accounts, supposedly coming from Prime Minister Sheikh Nasser Al Sabah, in order to guarantee the MPs loyal votes for the government (Al Watan, 2011). In addition to the accusation of the Prime Minister misusing and transferring money from public funds to his private account abroad (Katzman, 2012). As a result of this scandal the Opposition and some MPs insisted on the removal of the Prime Minister from his position.

On 16 November 2011 about 15,000 Kuwaitis, mostly young men of tribal background in alliance with Opposition MPs (tribal and Sunni Islamists) demonstrated around *Eradah Square*, the ‘Will Sqaure’ next to the National Assembly’s building, demanding the dismissal of the Prime Minister and chanting: “The people want to bring down the head of the government” (Al Watan, 2013b). Around 600 protestors led by the ex-MP Musallam Al Barrak (from the influential Al Mutayr tribe) ended up storming the assembly. The Amir described the incident as a “black day for Kuwait” and he stressed that “according to the Constitution, I have the power to appoint or to force the Prime Minister and the Ministers to resign ...and if I was going to ask the Prime Minster to resign I would not do that because of pressure exercised by those people ”(BBC, 2011d).

Some also considered the storming of the assembly to force the resignation of the Prime Minister as unconstitutional and an escalation marking “a new low in Kuwaiti politics”, as there “are constitutional ways to take down the Prime Minister” (Baker, 2011). However, as pointed by interviewee (6) the constitutional tools had been used many times to no avail, Sheikh Nasser Al Sabah survived several no confidence votes in the assembly through the support of pro-government MPs (Interviews, 2013). The protests, combined with a series of strikes by some labour Unions that threatened to disrupt oil and gas shipments forced the hand of both the Prime Minister and the Amir to act. The Prime Minister, Sheikh Nasser, resigned on 28 November 2011 followed by the Amir dissolving the assembly on

the 6 December 2011 and scheduling new elections for 2 February 2012 (KNA, 2015b).

## 2. The First Annulled National Assembly 2 February 2012

The election of the Fourteenth National Assembly has a particular significance for two reasons. Firstly, the bottom-up pressures, due to the “the MPs’ Deposit Graft Case” associated with Prime Minister Sheikh Nasser Al Sabah forced the Amir to appoint Sheikh Jaber Al Sabah as the new Prime Minister (Al Shehabi et al., 2013). He was the former Minister of Defence and also a potential number three in the race for succession. The Amir was also forced to refer the allegation about the 15 MPs to the public prosecutor to question them, in addition to questioning the 9 opposition MPs who stormed the assembly (Al Watan, 2013a). The public prosecution on 17th of October 2012 "decided not to press any charges due to insufficient evidence of any crime of bribery, graft, money laundering against any suspects in the case" (Lazem, 2012). The special court of the ministers’ judicial panel investigating the allegation against Sheikh Nasser, also, found no evidence and dismissed the case on 9 May 2012 (Al Watan, 2012). However, as indicated by interviewees (10) and interviewee (7) in the mind of Kuwaitis these MPs and the Prime Minister remain guilty and corrupt (Interviews, 2013).

Secondly, the election results gave the Opposition a landslide victory where 35/50 members were tribal and Islamist opposition MPs; an evident sign of the depth of the public’s anger and frustration at the government. The number of candidates was high at 389 of which 29 were women. Turnout was near the average around 60 percent of eligible voters. None of the 29 women who ran were elected, while the Shiites increased their share to 6 seats (Herb, 2012) As shown in Table 6.7.

**Table 6.7: Political Participation in the First Annulled National Assembly February 2012**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		



2 February 2012	5	360	29	400296	59.5%
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Source: MOI, 2017

The Opposition dominated the legislature and was more assertive, demanding a larger role in the government and insisting on increasing the number of elected deputies in the cabinet. Ahmad Al Sadoun, a leading opposition figure, returned to the post of Speaker of the assembly (a position he held between 1989-1999) replacing the pro-government Jassim Al Khorafi (Al Arabiya, 2015b). Prime Minister Jabir Al Sabah retained his post but, in defiance of the demands of the Opposition, he appointed only four members of the assembly to the cabinet (KNA, 2012). As Table 6.8 shows, the assembly in its very short term, five months, requested 7 interpellations to key ministers including the Prime Minister. Only three were discussed without reverting to a vote of no confidence, one was not discussed, two ministers resigned (Minister of Finance and Minister of Social Affairs and Labour) to avoid the possibility of a vote of no confidence, while the last interpellation of the Minister of Interior did not take place because the assembly was suspended (KNA, 2015b).

However the Amir, in an attempt to avoid the outright dissolution of the assembly, and in an unprecedented move, exercised his authority under Article (106) of the Constitution to suspend the assembly for one month on 18 June 2012 (BBC, 2012). But two days later, the Constitutional Court in Kuwait issued a *Hokom*, a ruling, on 20 June 2012 stating that the elections of the Fourteenth assembly were invalid, and that the MPs who had been elected were not valid MPs, on the grounds that the dissolution of the Thirteenth Assembly was invalid, so the call to hold the elections for the Fourteenth Assembly was not constitutional, therefore the Thirteenth Assembly could restore and reactivate its powers and authorities as if the dissolution had not taken place (KNA, 2012 ).

**Table 6.8: Interpellations of the First Annulled National Assembly 2 February 2012**

<i>Number of Interpellations</i>	<i>MPs Presenting the Interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Salih Ashoor 19 February 2012	Prime Minister Sheikh Jaber Al Mubarak Al Sabah	The interpellation was discussed only
2	Hussain Al Qallaf 17 March 2012	Minister of Communication Sheikh Muhammad Al Abdullah Al Sabah	The interpellation was discussed only
3	Muhammad Al Jowaihel 8 May 2012	Minister of Interior Sheikh Ahmed Al Humod Al Sabah	The interpellation was discussed
4	Obaid Al Wasmi 22 May 2012	Minister of Finance Mostafa Al Shamali	The interpellation was not discussed
5	Khalid Al Tahoos Musalam Al Barrak 24 May 2012	Minister of Finance Mostafa Al Shamali	The interpellation was discussed and a request of a vote of no confidence was presented. However the minister resigned
6	Al Saify Mubarak Al Saify Riuadh al Adsani 29 May 2012	Minister of Social Affairs and Labour Ahmed Al Rojaib	The interpellation was dropped because the minister resigned on 12 June 2012
7	Muhammad Al Jowaihel June 2012	Minister of Interior Sheikh Ahmed Al Humood Al Sabah	The interpellation did not take place and was dropped due to the dissolution of the assembly

SOURCE: KNA, 2016

### 3. The Reinstatement of the Thirteenth National Assembly of 2009

The MPs and most Kuwaitis vehemently opposed the top-down decision by the Amir, following the June 2012 court ruling to reinstate the 2009 assembly. Subsequently, the majority of MPs boycotted the assembly's sessions, forcing the hand of the Amir to dissolve it on 7 October 2012 (KNA, 2015b). This assembly was the first assembly in Kuwait's political history to be dissolved twice. In response to the Amir's autocratic measures, Mulsallam Al Barrak in a speech given on 15 October 2012 directly addressed the Amir in stringent terms: "We will not allow your highness to take Kuwait into the abyss of autocracy...We no longer fear your prisons and your riot baton" (Dazi Heni, 2016). As the Constitution prohibits directly or indirectly criticising the Amir, Al Barrak was arrested on 29 October and sentenced to five years in prison but this was reduced to two years (Al Watan, 2015).

Nonetheless, the suspension was followed by another top-down decision by the Amir ordering changes to the electoral system and announcing in a public speech on the 19 October 2012, "I have directed the government to issue a draft law to make partial amendments to the electoral system aimed at improving the voting mechanism to preserve national unity and to strengthen the practice of democracy" (Hagagy, 2012). This led to a series of demonstrations known as *Maserat Karamet Waten* the 'Dignity of a Nation Demonstrations' (DNDs) which was organised by youth activists and the Kuwait student union, in alliance with Opposition led by the Islamists, the tribal forces and the liberal blocs. They saw the change in the electoral law as a means of breaking the Opposition and producing a government-friendly assembly as well as increasing the autocratic practices of the Amir. This also touched a raw nerve in Kuwaiti politics, as the issue of electoral reform had been a major feature of the Orange Movement (the youth-led public protests in 2005) resulting in the amendment of the law.

The first DND took place on 21 October 2012 with an estimated 50,000-150,000 protestors gathering in the 'Will Square'. They were shouting 'the youth wants to bring down the Amiree decree, *Marsoom Al Shabab youreed esqat Al Marsson Al*

*Amiree*, (Al Watan, 2013c). The Special Forces tried to stop the demonstration by using tear gases and stun grenades while female police stopped women from gathering (Al Shahabi et al, 2013). One youth activist summarised the spirit of the demonstration by indicating “we want a little more democracy, more freedoms, more rights” (Westall, 2012). Another activist, expressing how bitter and disappointed Kuwaitis have become of the state of their affair and how political infighting has stalled Kuwait development said: “Twenty years ago Kuwait was number one in the region, there was no Dubai, no Qatar. Now it is the last place” (ibid). A second DND took place on 4 November 2012. It was estimated that 150,000 participated and the demonstrators were shouting that the MP Musallam Al Barrak is *Dhameer Al Omah* meaning the “conscious of the nation”. The police used tear and smoke gases and sound bombs to end the demonstration (Al Aan, 2012e)

Despite this public display of rejection of the autocratic rule of Al Sabah and the derailing of the political reform process, the Amir did not respond to the escalating civil movement and the Opposition’s demands. Moreover, in support of the Amir, the Constitutional Court issued a ruling that allowed for any necessary changes to be made to the country’s electoral system. This is the second time the Amir sought the support of the judicial system, as mentioned before (the Court dissolved the 14th assembly and reinstated the 13th). As put by interviewees (9 and 6) the authoritarian tendency of the Amir has become more obvious and the collective reluctance of the government and the Amir to seek a more collaborative relation with the assembly has totally undermined the process of political reforms. These practices show that democracy in Kuwait is a façade and the elections and the assembly are just tools in the hands of Al Sabah for maintaining the dominance of Al Sabah” (Interview, 2013).

The new election Law No. 21 for the year 2012 was approved on 16 June 2013 by the Constitutional Court, which means it gained protection and immunity, the law reduced the number of candidates Kuwaitis could vote for from four to one (Al Ateeqi, 2013). On the surface this egalitarian principle of “one person, one vote” appears as an advancement of democracy. However, in Kuwait as mentioned before, the five electoral districts represent an inequality of the weight of each vote

as some districts have more electors than others. This results in over representing or under representing the electoral districts. For instance in the 2008 elections districts 4 and 5 (93,710 and 101,294 electors respectively) were underrepresented by 3 and 4 seats in comparison to districts 1,2 3, (66,641, 41,365 and 58,674 electors respectively) over represented by 1, 4 and 2 seats respectively, thus to achieve equality of the vote, the electors in each district must have an equal weight to each vote (O'Grady & Meyer-Resende 2008: 28).

The motivation, thus, of this top-down change, was to break the power of the political blocs especially the major Islamist political blocs (ICM and the ISM) and the tribal forces (Al Ateeqi, 2013). The old four-vote system allowed these tribes to coalesce the tribal vote (despite the law preventing tribal primaries, the tribes continued to hold it illegally) around a favoured candidate while leaving the three other votes to be distributed among other candidates. Having one vote made this harder to achieve and broke the monopoly of, in particular, the powerful tribes (Weiner, 2016). Interviewees (5, 6 & 13) affirm this view by indicating that the fragmentation of votes produces a less cohesive assembly and makes alliances harder. It also prevents the emergence of a powerful force in the National Assembly able to counterbalance the power of the ruling family while making these fragmented groupings easier to manipulate and play one against the other (Interviews, 2013).

#### **4. The Second Annulled National Assembly 1st December 2012**

The Opposition continued to challenge the Amir and held a third DNDs, on 30 November 2012, one day before the election day and called it *Youm Al Samt Al Intikhabi*, 'The Day of the Electoral silence' in reference to the Amir's move to silence their voices and manipulate the elections (SkyNews Arabia, 2012). The demonstration was held near Kuwait Towers; a well-known monument in Kuwait used to attract the attention of the national and international media to gain support for their demands as well as exercise pressure on the Amir. The Opposition also used the occasion to announce the boycotting of the elections, ordered for the 1st December 2013, including 35 former MPs from the February 2012 assembly (Al

Jarida, 2013) as a protest against the Constitutional Court decision and the amendment of the election law, contending that only the National Assembly, not the Amir, had the right to amend the electoral system.

The Fifteenth National Assembly was the first assembly to be elected under the new top-down amended election law (No.20/2012). Turn out for the election was very low, around 40 per cent of the 440,000 eligible voters. But it could be considered an acceptable level of political participation considering the circumstances. The number of candidates was 279, of whom only 14 were women. See Table 6.9.

**Table 6.9: Political Participation in the Second Annulled National Assembly 2012**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		
1 December 2012	5	265	14	440000	39.7%

*Source: MOI, 2017*

The election of the new assembly along with the continued dismissal by the Amir of the demands of the protestors and the Opposition escalated the anger among the Kuwaitis. They were determined to force the hand of the Amir to dissolve the assembly by continuing to reject his autocratic measures and holding further demonstrations. They organised a further four DNDs, between 8 December 2012 and 22 January 2013, reiterating the demand for the dissolution of the assembly and the retraction of the Amiree Decree of Law Number 20 of the year 2012 as well as the release of the political activists that have been detained due to their participation in the DNDs. The police used a variety of methods to intimidate the protestors such as blocking their way, tear and smoke gases and rubber bullets to disperse them (Kuwait Al Youm, 2012 and Al Jarida , 2013a).

Despite these DNDs, the Fifteenth Assembly began to approve major infrastructure and investment projects, such as the Subiya Causeway and the Az-Zour North independent water and power plant. Such projects formed the basis of Kuwait's economic diversification and the long-term national strategic plan, but had constantly been delayed by the antagonistic and confrontational relation between the elected assembly and the appointed government; this stalled economic development plan is estimated at 105 billion USD (Arnold, 2013).

Interpellations, however, continued to be requested, but due to the short-lived assembly, only four were requested; three of them being directed at key ministers: the Minister of Interior and Minister of Finance. These requests were postponed, with the approval of the assembly, on the basis that they would be addressed in the next assembly session, see Table 6.10. This never happened due to the dissolution of the assembly, in spite of the fact that this assembly was lacking of real opposition and was pro-government, it did not last more than six and a half months. The Constitutional Court on 16 June 2013 ruled that the change to a single vote per citizen was lawful, however, it cited technical flaws in the elections and annulled the Fifteenth Assembly.

***Table 6.10: Interpellations of the Second Annulled National Assembly 1 Dec 2012***

<i>Number of Interpellations</i>	<i>The MPs presenting the interpellations</i>	<i>The Minister</i>	<i>Results of the Interpellations</i>
1	Hussain Al Qallaf 5 February 2013	Minister of Communication Salim Al Othaina	The interpellation was postponed
2	Faisal Al Dowaisan 10 February 2013	Minister of Interior Sheikh Ahmed Al Homod Al Sabah	The interpellations were postponed
3	Nawaf Al Fozi'ea 18 February 2013	Minister of Finance Mostafa Al Shamali	The interpellation was postponed

4	Sadoun Hammad Nawaf Al Fozi'ea 18 February 2013	Minister of Oil  Hani Hussain	The interpellation was postponed
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Source : KNA, 2016

This move by the Amir (allowing the court to annul the National Assembly while upholding the legality of the change in election law) caused an immediate fragmentation of the Opposition, as the main liberal opposition group, the National Democratic Alliance announced that it would reverse its boycott and contest the forthcoming election: "We confirm our commitment to the constitutional court ruling ... and declare we will participate in the forthcoming elections "(Ahram online, 2017). Several of Kuwait's largest tribes also declared their intention to re-enter the political process and run candidates. In contrast the Islamists, the nationalist and other liberal groupings vowed to continue with the boycott of elections as they saw the acceptance of the court ruling as an encouragement of the autocratic rule of Al Sabah as well as undermining the whole process of political participation and contestation (ibid.). The eighth and last DND was held on 6 July 2013, particularly targeting the Constitutional Court (as it has become a facilitator of Al Sabah autocratic rule) under the slogan *Al Sha;ab Yoreed Tatheer Al Qada'a* meaning the "People wants to purify/cleanse the Judiciary system" (Al Shehabi et al.,2013). The involvement of the Constitutional Court in resolving the political difficulties of the ruling family had undermined the legitimacy and integrity of the Judiciary.

## 5. The Sixteenth National Assembly 2013

The snap election of 2013 for the Sixteenth Assembly, (officially considered the Fourteenth due to the two annulments) held on 27 July 2013 produced, as expected, a government-friendly assembly, namely due to the boycott of some of the major Opposition groups. Turn out was relatively low at 52 per cent of eligible voters and eligible voters nearly halved from the previous election at 228,314 but the number of candidates was relatively large at 418, of whom only 8 were women, see Table 6.11.



**Table 6.11: Political Participation in the Sixteenth (officially the fourteenth) Assembly 2013**

<i>Date of Election</i>	<i>Number of Electoral Districts</i>	<i>Number of Candidates</i>		<i>Number of Eligible Voters</i>	<i>Voter Turnout</i>
		<i>Male</i>	<i>Female</i>		
27 July 2013	5	410	8	228314	51.9%

*Source: MOI, 2017*

The elections returned a broad range of pro-government groups: 30 seats won by independents (tribalist, pro-business, and two women), 9 seats won by the liberals and 11 won by Islamists (8 Shii and 3 Sunni). Subsequently this assembly was most cooperative, allowing the passing of many projects, although, it witnessed a total of ten interpellations. Of these interpellations four were discussed with no specific recommendations, one interpellation was withdrawn, there was one vote of no confidence, which the minister survived, and four resignations before the date of questioning, as seen in Table 6.12. This pattern confirms the inadequacy of interpellations as a tool to hold the government accountable as resignations continue to be used to avoid questionings, in addition to withdrawal of interpellations and a focus on discussing issues without recommendations for the government to consider.

***Table 6.12: Interpellations of the Sixteenth (officially the fourteenth) Assembly 2013***

<i>Number of Interpellations</i>	<i>MPs presenting the interpellations</i>	<i>The Minister</i>	<i>Results of Interpellations</i>
1	Riyadh Al Aladsani 31 October 2013	Prime Minister Sheikh Jaber Almubarak Al Sabah	The questioning was removed from the agenda after the Al Adsani withdrew it
2	Dr Hussain Quai'an 3 November 2013	Minister of Health Sheikh Muhammad Al Abdullah Al Sabah	The questioning took place and a vote of no confidence took place. The vote was in favour of the minister: 12 'for', 31 'against' while 6 refrained.
3	Dr Khalil Al Abdullah 10 November 2013	Minister of State for National Assembly Affairs and Minister of State for Planning and Development Affairs Rola Dashti	The questioning resulted with an agreement that a vote of no confidence to take place in the next session. The Minister a day before the session resigned
4	Riyadh Al Aladsani 13 November 2013	Minister of Housing and Minister of Municipality Salim Al Othaina	The questioning was discussed however, no recommendations was offered
5	Riyadh Al Aladsani 13 November 2013	Prime Minister Sheikh Jaber Almubarak Al Sabah	The questioning was discussed however no recommendations was offered
6	Safa Al Hashim 14 November 2013	Prime Minister Sheikh Jaber Almubarak Al Sabah	The questioning was discussed however no recommendations was offered

7	Safa Al Hashim 14 November 2013	Minister of State for National Assembly Affairs and minister of State for Planning and Development Affairs  Rola Dashti	The questioning was discussed however no recommendations were offered
8	Abdullah Al Tamimi Faisal Al Dowaisan 17 November 2013	Minister of housing and minister of municipality  Salim Al Othaina	The minister requested postponing the questioning. However, the minister resigned and the questioning was removed from the agenda
9	Hamadan Al Azmi 28 November 2013	Minister of social Affairs and Labour  Thekra Al Rashidi	The minister resigned and the questioning was removed from the agenda
10	Saleh Ashoor  19 December 2013	Minister of Education and Minster of Higher Education  Nai'f Al Hajraf	The minister resigned and the questioning was removed from the agenda.

Source: KNA, 2016

The assembly became the longest serving (three years and a half) during the period 2005-2013. However, despite the relative stability during its life span, the assembly was dissolved on 16 October 2016 and snap elections ordered on 26 November 2016 (Al Larika 2016). This election is beyond the scope of this study, but suffice it to say this came as a preventive measure; the political blocs that continued to boycott the elections were readying themselves for the election on 17 July 2017 intending to end their boycott and accept the new change in the election law (Al Watan, 2016). However, despite the surprise snap elections, the results were not what Al Sabah hoped for, as the Opposition were able to capture 24/50 seats while new political faces won 30 seats.

#### **6.4 Evaluation of the Institutional Relation of the State and National Assembly**

The evidence from the above discussion indicates that the overall impact of political reform process has not produced any shift in the balance of power between the State and National Assembly, which can be an indication of a move towards a less authoritarian and more democratic system, as Potter's scheme implies. On the contrary Al Sabah reasserted their authoritarian tendencies by continuing to depend on old strategies and tactics to maintain their dominance (dissolutions, manipulation of elections, manipulation of societal divisions, oil wealth) while initiating new ones such as the reverting to the judiciary to attain their political objectives. The drawing of the Kuwaiti judiciary into the power struggle between the assembly and the government strengthened the autocratic rule of Al Sabah, while undermining the integrity of the Judiciary.

This period also witnessed an increased attack on civil liberties and political freedoms, in contrast to Dahl's emphasis on the importance of protecting and expanding civil and political freedoms as an element that denotes the exercise of democracy. Although freedom of speech and the press are protected under Articles (36) and (37) of the Constitution, this only applies, "in accordance with the conditions and in the circumstances defined by law". Thus, the government was able to expand its restrictions through the Penal code (1961) Article (111), which impacted negatively on the political culture as it stifled political pluralism and open debate, instilling fear. For instance "penalties for criticising Islam were increased, and can include prison sentences of up to one year and fines of up to 72,000 USD" (Duffy, 2013). These new restrictions followed previous sanctions of fines and imprisonment for publishing materials critical of the government, the ruling family, rulers of other Arab states, allies of Kuwait or religious figures as well as requiring all publications to submit a copy to the Ministry of Information in advance for approval (ibid.). Most importantly, the new amendments, also increased penalties for libel and slander and criminalised speech that threatened "national unity" and prohibited calls to overthrow the government.

Additionally, stricter regulations were imposed on internet-related offenses as the number of users had increased significantly “about 38 per cent of the population used the internet in 2010, more than six times the percentage in 2000” (Freedom House Report, 2011). The tightening of the regulations of cyber space and the monitoring of communication through this medium was justified under the pretext of national security, and the Ministry of Communications (MOC) continue to block websites suspected of “inciting terrorism and instability”. Meanwhile, the state required all internet-service providers to install and operate systems to block websites carrying material that is regarded anti-Islamist or propagating extreme Islamist views as well as certain types of political websites, while Internet café owners were required to obtain the names and identification of Internet users and must turn over the information if requested by the MOC. In 2009 the government proposed a draft law that would further regulate Internet usage but was rejected by the assembly (ibid.). Instead, the government began to monitor Kuwaitis on social network and sometimes imprison people as a result.

The National Security Office, for example, detained and imprisoned a man who tweeted against King Abdullah Al Saud and criticised the Saudi Royal family for their military intervention in Bahrain (AMNESTY, 2011). Another example is the lawyer Mohammed Abdelqader Al Jassem, the founding editor of the Arabic editions of Foreign Policy and Newsweek who was arrested in 2009 and faced more than 18 charges stemming from his newspaper articles, including, “slight to the personage of the Amir,” and, “instigating to dismantle the foundations of Kuwaiti society.” He was convicted of criminal defamation in November 2012 and sentenced to one year in prison, though the sentence was later reduced to three months on appeal (Freedom House, 2013). Given the restrictions of the press law and the atmosphere of increased governmental intolerance towards critical reporting, journalists continued to practise self-censorship, as failure to do so often resulted in reprisals in the form of fines.

Additional influence on reinforcing the lack of tolerance of civil liberties and political freedoms comes from the increased security concerns in the Gulf region, led by Saudi Arabia (instability in Bahrain and Yemen), pressurising Al Sabah to crack down on Opposition and to reassert their authority and power. The

government approved the Gulf Security Treaty, signed by the six members of the Gulf Cooperation Council on 14 November 2012. However, the Kuwaiti National Assembly refused to endorse this treaty arguing that some of its articles contradict and violate Kuwait's constitutional laws on freedom of expression, (Al Tamimi, 2014). Nonetheless, Kuwait's government has been under massive pressure, notably from Saudi Arabia, to ratify the treaty. Saudi Arabia's influential position in the region and its concerns with security issues, rather than democratisation, have always had a hindering influence on Kuwait's progress towards democracy.

Oil wealth, as in the previous periods, continued to feed the welfare philosophy that underpins al Sabah's legitimacy despite the increased pressure on public finances due to the continued fluctuation of the price of oil. These variations are reflected in the fluctuation of the value of oil exports from a low 48.6 billion USD in 2006 to a high 112.9 billion USD in 2012 dropping to 108.5 billion USD in 2013 and then dropping massively to 48.7 billion in 2016, as seen in Table 6.12.

***Table 6.12 Total Value of Petroleum Exports of Kuwait 2006-2016 (million USD)***

<b>Year</b>	<b>Value of Total Exports</b>	<b>Value of Petroleum Exports</b>	<b>Petroleum Exports to Total Exports (%)*</b>
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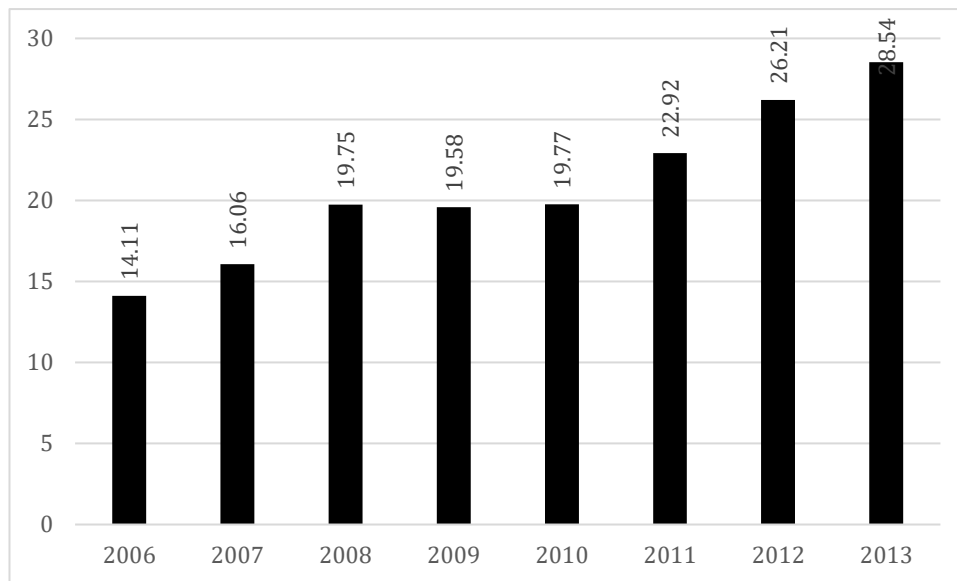
2006	55,996	53,160	95%
2007	62,498	59,016	94%
2008	87,427	82,656	95%
2009	51,678	48,618	94%
2010	65,984	61,667	93%
2011	102,052	96,700	95%
2012	118,917	112,933	95%
2013	115,096	108,548	94%
2014	103,891	97,554	94%
2015	54,959	48,782	89%

\*Calculated by the author. Source: OPEC:2016.

Government spending, irrespective of these pressures, continued to rise steadily from 14.11 billion USD in 2006 to 28.5 billion USD in 2013, as seen in Chart 6.1. The political volatility of this period continued to impede and delay the implementation of the critical strategy of economic reforms that acknowledged the difficulties associated with the continued dependence on oil as the major source of exports and major source of government revenues and the continued expansion in government spending especially that a large segment continues to be spent on wages and other social benefits to the citizens.



**Chart 6.1: Kuwait Government spending 2006-2013 (billions USD)**



*Source: Global Economy, 2017*

Neither the government nor the National Assembly were able to debate these economic challenges of Kuwait and discuss “clearly and without ambiguity” the difficulty of continuing the past half a century of the extremely generous welfare state approach and address the “economic facts that confirm the fallacies of the current policies” (Al Hayat, 2012). The approach of the government, consequently, became increasing authoritarian attempting to impose top-down economic policies and measures while the assembly became increasingly embroiled in attempting to halt, delay or oppose such measures. In the meantime, the economy continued to stagnate and be unprepared for a future less dependent on oil, this reliance increased from an average of 91 per cent of total value of exports during the previous periods to an average of 94.4 per cent for this period, as seen in Table 6.12 .

As expressed by interviewees (9 and 13), “the preservation of the Kuwaiti ‘welfare state’ philosophy and ‘constituent service MPs’ mentality, at a time where past trends are becoming less maintainable points to the inability of both the National Assembly and Al Sabah to look beyond preserving their narrow interests and focus on the national interest” (Interviews, 2013). Moreover, interviewees (10, 11 and 13) indicated how election programmes of MPs rarely focused the attention of the electoral body on the economic reform agenda despite the continued domination of

discussion in the assembly of the issue of mismanagement of oil revenues, corruption and the deteriorating quality of social services and infrastructure, thus creating a growing gap between Kuwait's economic development in comparison to other Gulf states especially Qatar and UAE (Interviews, 2013). Thus the tenuous relation between the assembly and the government has been a major reason preventing Kuwait from pursuing what is considered essential reforms to address its high dependency on the oil sector and the fall out from the fluctuation of the price of oil.

Moreover, this continued unresolved tension significantly weakened the assembly, and exposed the ineffectiveness of the politic blocs due to their narrow based interests and lack of coherent and well developed political programmes or agendas that address the socio-economic issues and problems facing Kuwait such as economic reforms, the *Bidun* issue and the deteriorating social services and infrastructure. This situation was exacerbated by another factor that augmented the level of confrontational politics and undermined the political reform process, namely the increased frequency and intensity of interpellations without producing results in holding the government accountable. As seen from the discussion in Chapters Three and Four, interpellations have always been the major constitutional tool of the assembly to hold the government accountable allowing MPs to question cabinet members and subject them to a vote of no confidence. This, however, was a relatively rare procedure, especially when directed at ruling family members. Between 1962 and 1976 six cabinet members were subjected to a vote of no confidence and only one was member of the royal family. Between 1981 and 1992, eight cabinet members faced questions and in the post liberation, 1992–1996, period, this number fell to 5, while a striking shift occurred during 2006–2013 when a total of 27 cabinet members had to face parliamentary interpellation, 21 being members of the ruling family (Dazi Heni, 2015).

The separation of the two posts of the Prime Minister and Crown Prince was meant to enhance democratic practice as it provided the opportunity for the assembly to question the Prime Minister and hold him and his Cabinet accountable to the people without any disrespect to the post of Crown Prince. However, this period showed that none of these anticipated benefits materialised, instead a steady process of

delegitimising democratisation has actually occurred by the constant dissolutions followed by fresh elections; a seven year period witnessed six elections, instead of the two if the assembly was allowed to finish its term. Another factor that fuelled these interpellations was the increased rivalries and factionalism among Al Sabah family that spilled over to assembly politics (Katzman, 2012). In return for funding their electoral campaigns, the co-opted representatives would compete during question time in support of one faction over the other, contributing to the National Assembly being frequently dissolved and to repetitive governmental crises (ibid).

The questioning during this period, as observed by David Roberts, “highlights an inherent weakness in the structure of the Kuwait’s assembly” as they have evolved from being a straightforward parliamentary tool to becoming a partisan circus act and they can be brought about by a single member over any matter (such as the destruction of a mosque) one member could literally force the dissolution of the government” (2011:98). Interviewees (2, 7, 9 and 12) reaffirmed such a view by stressing the “politicisation” of this constitutional tool, whereby it has become a tool to “score points, settle rivalries, and appease the narrow base of the MPs constituent”, and in the process has delegitimised this tool as an effective method to hold the government accountable (Interviews, 2013).

On the other hand the weakness of the assembly combined with the reassertion of Al Sabah power opened the space for an expanded civil society activism as the discussion above showed. The rejection of Al Sabah’s top-down approach in its totality (National Assembly suspensions, amending of the election law, court interference, suppression of civil and political freedoms) by civil society in alliance with the Opposition could not be clearer. It evoked strong opposition, manifested in the large rallies and demonstrations, the storming of the parliament as well as the boycotting of elections by the alliance formed by the main Opposition groups. This has been helped by the widening of social forces that have been drawn into the political arena namely the youth, women, younger and educated tribal elements as well as increased activism on the part of other segments of the society such as the labour unions (through a wide range of strikes, most prominent was the port workers strike that lasted two days over a pay dispute) and the *Bidun* (stateless) who were heartened and encouraged by International AMNESTY’s report to

demand citizenship and equal rights and fair treatment to Kuwaitis (AMNESTY, 2013 ); the plight of the *Bidun* has been detailed in Chapter Three. The *Bidun* from January 2011 to December 2013 were very active and they held a series of organised demonstrations in order to stop the discrimination practised against them; demanding equal citizenship rights that allows them access to basic services, including personal documents, health-care, and education (AMNESTY, 2013 ). Because article 21 of the 1979 Public Gathering Law “bans non-Kuwaitis from participating in public gathering”, the *Bidun* demonstrations were all considered illegal and were stopped by the police and the special forces who used water cannons, smoke bombs, tear gas, batons, and rubber bullets to disperse the demonstrations (USDS, 2012:11).

Some of the other interviewees, Joher, Al Awadhi and Al Qahtani, acknowledged the expanded sphere of civil society activism and its significance, stressing that politics in Kuwait is no more led and monitored by the Amir and the assembly, it is also led by a variety of civil society associations and movements which is important to the process of democratisation as it opens channels of bottom-up pressures and introduces new elements in the political equation between state and society (Interviews, 2013). This is also a sign indicating that, despite the state’s ability to curtail the development and undermine the possibility of change from below, and more importantly despite the dependency of Kuwaitis on the state’s extensive economic role, a large segment of Kuwaitis were able to continue to mobilise and organise in opposition to top-down measures.

## **6.5 Conclusion**

The discussion shows that the period 2006 -2013, despite its optimistic and hopeful start, exposed the limitations of the political reform process as the authoritarian and autocratic tendencies of Al Sabah and their reluctance to share power with the National Assembly became more pronounced, deepening the structural imbalance in the institutional relation between the State and the National Assembly, which remains the only significant political institution due to the continued absence of

political parties. This authoritarianism continued to be pinned by Al Sabah's reliance on a variety of strategies and tactics (suspensions, increasing the ineffectiveness of interpellations as a tool to hold the government accountable, restricting civil and political freedoms through law, increasing divisions and fragmentation of political forces and the recent new tactics of resorting to the judiciary in support of top-down measures and policies) to maintain control over the political processes and political structures.

Nonetheless, this reassertion of the power of Al Sabah has been vehemently opposed via the mobilisation and organisation of civil society manifested by the many rallies to defend democratic values and rights, in alliance with the reformist elements of the National Assembly aiming at a gradual erosion of the power of the state, vis-à-vis society. This increased activism of civil society, especially from the youthful element of the population means that the zone of civil society in Kuwait can be a source of democratic change, particularly when considering Dahl's criteria for the exercise of democracy. Kuwaitis continue to value political participation (high turn out despite the unprecedented frequency of elections during this period) and contestation has expanded to include women, although others are still excluded. Kuwaitis also continue to value and support the institution of the National Assembly despite the frequency of dissolutions and short-lived assemblies, which made the representative political process more of a spectacle while real political decision-making remained firmly in the hands of Al Sabah ruling family.

Additionally, concerning Potter's elements that act either as prompters/obstacles to democratisation, the picture remained mixed except in the case of civil society. The discussion shows unmistakably the expansion in the role of civil society emphasising Kuwaitis impulse for democratisation and insistence on curtailing the dominance of Al Sabah. Nonetheless, this has been hampered by the lack of 'national unity' and the continual fragmentation of social forces as well as having a political culture that embeds both impulses; the Kuwaiti impulse towards democratisation and its values and the autocratic rule of Al Sabah, pulling in the opposite direction, augmenting the authoritarian impulse. However, economic development, especially in terms of its impact on education, continued to play a significant role as promoter, particularly in the case of women, as well as the

emerging educated tribal youth. Simultaneously, the oil wealth, despite the difficult economic circumstances (due to the fall of the price of oil) remains a significant factor in enhancing the power of Al Sabah vis-à-vis the society. Security concerns during this period (Bahrain, Yemen) led to limiting the influence of transitional and international engagement as promoters of democracy, as the priorities of Saudi Arabia and U.S. were focused on promoting security rather than democracy.

## **Chapter Seven: The Conclusion**

The study assessed the impact of the four political reforms implemented post-liberation (the restoration of the assembly 1992, the separation of the posts of Crown Prince and Prime Minister 2003, the two amendments of the electoral law,

giving women their political rights 2005 and redefining the electoral districts 2006) on the process of democratisation in Kuwait, through the prism of a theoretical frame that uses Dahl's (1971) definition of democracy and Potter's (1997) scheme of six requisites that promote and/or hinder the democratisation process.

The study first established the structural parameters that underpinned Al Sabah rule and how the political system of Kuwait developed over the years especially the period post the promulgation of the Constitution, in 1962, in order to assess the manner in which the representative system of government, as envisioned in the Constitution developed up to 1990. The discussion revealed that Kuwait on one level fulfilled Dahl's interpretation of what democracy means: participation, contestation, and civil and political liberties. Nonetheless, these existed in a restricted and heavily controlled form leading sometimes to total suppression of these three elements. The period can be described as an attempt to institutionalise democratic practices but ended up creating a political system that suffers from stagnation and impasse with a highly contentious relation between state and society, specifically between Al Sabah and the National Assembly. Moreover in regards to Potter's (1997) scheme, while none of his six prerequisites seemed to present themselves unambiguously in Kuwait, the evolution of the system showed that these factors were essentially present at some level but not necessarily in the exact fashion suggested by Potter (1997). Most important among these prerequisites is the institutional relation of state and political institutions. The establishment of Kuwait's National Assembly and the holding of the first elections in 1963 held the potential to be supportive of democratisation and the development of a broader political culture that fosters democratic values and ideas, thus in theory the institution of the assembly should have led to democracy through a change in the balance of power between the state and its citizens, devolving at least some power to the latter. However, the Amir retained ultimate authority in both the legislative and executive spheres, resulting in a system in which the legislature was unstable and ineffective, and unable to consolidate democratic processes in the functioning of the state. The fact that conflict was so evident and so persistent across the post-independence period and up until 1990, nonetheless, suggests that some of the political forces that came into existence through this process were more robust than the ruling elites had anticipated. This is positive both in terms of the development

of political institutions, and in its signalling of a certain level of political culture conducive to democratisation. Also bottom up-pressures have been present in the society despite the constraints and restrictions and repressive measures imposed by the state, although these were unable to produce an effective challenge to the autocratic rule of Al Sabah primarily due to the success of Al Sabah in consolidating societal divisions and maintaining their dominance and their role as the ultimate source of power over society.

The discussion shifts then to determine whether Kuwait has moved beyond this conflicting environment in the post-liberation period towards a clearer path to democratisation, in light of the four political reforms. The analysis of the first set of reforms (restoration of the National Assembly and the separation of the posts of Prime Minister and Crown Prince) reveal that these did not significantly alter Kuwait's democratisation path as Al Sabah continued with its tendency to dissolve the National Assembly as the ultimate mechanism for resolving differences and protracted political debates, albeit the dissolutions were constitutional and the ruler called for elections within the constitutionally specified period, which is significant to the process of political reform. The successive assemblies, continued to show themselves capable of challenging Al Sabah, indicating that pro-democracy political culture that could already be discerned in the period prior to 1990 continued as the majority of the assemblies during this time were composed of oppositional politicians. Moreover, citizens' strong impulse towards democracy is also shown by the value attached to the National Assembly's elections reflected in voter turnout and the assembly's debates. In this sense Dahl's emphasis on the importance of political participation and contestation bears fruit as Al Sabah are constantly being challenged by these two processes, and that despite their many shortfalls are still factors to be considered as promoters of democratisation.

The study showed that other the set of reforms (giving women their political rights in 2005 and redefining the electoral districts in 2006) were the result of massive pressure from civil society that illustrated despite the state's power over CSOs - through a comprehensive legal framework that controls licensing, auditing, scope of work, finances and ultimately dissolution- women and youth movements



were able to escape this restrictive frame and effect political reforms. Thus indicating the possibility of change through civil society even in states where civil society is apparently very weak. In the case of women gaining political rights, multiple of factors came together including the need of Al Sabah to enact the bill before the Prime Minister's visit to the U.S., the alliance between women Islamist advocates and liberal women, the siding of one of the Islamist groups with the women's rights campaign and the intensified public fight by women during the year 2005. In the case of the Orange Movement, the level of discontent among Kuwaitis in general and the youth in particular allowed this movement to grow and gain support becoming a natural ally to the reformist movement in the National Assembly. This shows that it cannot be argued that civil society is absent in Kuwait even though it is not as autonomous and voluntaristic as civil society in the West. On a theoretical level, these two reforms attest to the importance of civil society as suggested by Potter's scheme for the transition to democracy.

The study showed that the period 2006 -2013 exposed the limitations of the political reform process as the authoritarian and autocratic tendencies of Al Sabah and their reluctance to share power with the National Assembly became more pronounced, deepening the structural imbalance in the institutional relation between the State and the National Assembly, which remains the only significant political institution due to the continued absence of political parties. In fact the period 2009-2013 represented a high level of political instability and turmoil leading to a total collapse in the relation between the legislative and the executive as well as increasing the anger and frustration of Kuwaitis. This is indicated by three dissolutions, four elections and two annulments of elections in the span of four and a half years. This political instability has affected the functioning of the government and delayed addressing many of the economic challenges facing Kuwait that required cooperation and collaboration between the assembly and the government.

Nonetheless, this reassertion of the power of Al Sabah has been vehemently opposed via the mobilisation and organisation of civil society manifested by the many rallies to defend democratic values and rights, in alliance with the reformist elements of the National Assembly aiming at a gradual erosion of the power of the state, vis-à-vis society. The discussion shows unmistakeably the expansion in the

role of civil society emphasising Kuwaitis impulse for democratisation and insistence on curtailing the dominance of Al Sabah. Nonetheless, this has been hampered by the lack of 'national unity' and the continual fragmentation of social forces as well as having a political culture that embeds both impulses; the Kuwaiti impulse towards democratisation and its values and the autocratic rule of Al Sabah, pulling in the opposite direction, augmenting the authoritarian impulse.

The overall conclusion of the study suggested that these reforms had limited impact on a trajectory towards democratisation. These were adopted by the ruling family as a part of a regime survival strategy evidenced by the reinvigorated authoritarianism of Al Sabah and the increased oppression of the Opposition. The period is, thus, better understood as an effort to maintain the liberalised autocracy where ultimate power still rests in the hands of the state and the ruling elites. However, this process emphasised and exposed the contradictions inherent in the political structures and political processes of Kuwait allowing a space for civil society movements to emerge, mobilise and attempt to counter the dominance of the state as well as emerge as a second significant factor (the first being the National Assembly) pushing for democratisation. These contradictions led to a mixed picture in terms of Dahl's (1971) criteria of the meaning of democracy and Potter's (1997) drivers/hindrances to democratisation.

In terms of Dahl's emphasis on contestation and political participation as an indication of the definition and exercise of democracy, the analysis showed that the period witnessed multiple elections and enhanced participation through the inclusion of women as voters and candidates, however, these produced assemblies that were short-lived, undermining their effectiveness and consequently resulting in impasse and gridlock in the political process of governing. Kuwaitis were constantly required to participate in fresh elections following each suspension bringing instability and lack of legitimacy to the whole process as differences and disagreements between the government and assembly continued to be arbitrated by the Amir through decreeing the dissolutions of the National Assembly or through using the Constitutional Court to annul elections. This dynamic exposed the structural weakness of having a constitutionally guaranteed elected National Assembly and the constitutionally guaranteed right of the Amir to dissolve it. This

continues to skew the institutional relation between the National Assembly and the state in favour of the preponderance of the state. In addition, the period witnessed increased levels of repression, targeting political opposition and civil society via the expansion in controls, regulations and monitoring of civil and political freedoms. Nonetheless, the Opposition as well as civil society became extremely vocal in their rejection of the invigorated authoritarianism, manifested by their increased political activism and resistance to the autocratic measures of the Amir and his appointed government.

The period, thus, presented, in terms of Potter's scheme, a mixed picture of the impact of those elements that promote and those that hinder the process of democratisation with a strong tendency for those elements to be more hindrances rather than promoters, allowing Al Sabah to reassert their power. For instance, no discernable shift occurred in the institutional balance of power between the National Assembly and the state. In fact, Al Sabah's tactics and measures, aimed at maintaining their dominance, resulted in further diminishing the usefulness of the assembly, making a spectacle of the successive assemblies elected during the period 1992-2013. Nonetheless, it is also noticeable the importance that Kuwaitis attach to this institution, especially in the absence of political parties, as their representative elected body that has been, since the promulgation of the Constitution 1962, at the centre of the politics of Kuwait and the struggle and strife to democratise the political system.

On the other hand the increased civil society activism and the successful mobilisation and organisation of several large rallies and demonstrations attracting thousands of Kuwaitis across the political and social divide is a strong indication of a high level of political awareness and willingness to counterbalance state power. This is exceedingly important as it suggests that the possibility of change is present and achievable especially since civil society opposition is never targeted at regime change but rather focused on enhancing democratic practices and values and limiting the power of the ruling family.

Political culture, another factor in Potter's scheme, had been pulled into two opposite directions. The persistence of some strong elements of the patriarchal

nature of the Kuwaiti society has not helped women to benefit from the change in the electoral law that allowed them for the first time in 2006 to participate in elections as candidates and voters. Although the political culture in Kuwait values contestation and competition, when it comes to women rights and equal treatment the elections have shown that the Kuwaiti society is still patriarchal and women's ascendancy to the political realm is still in its nascent form. Additionally, the introduction of a variety of laws restricting freedom of speech and stifling political pluralism and open debate instilled fear and self-censorship, especially in media outlets. Nonetheless, there was a noticeable increase in the use of digital media, despite the government's monitoring of its content and sometimes arresting and imprisoning those it believed to be breaking the law.

Economic development, a third factor in Potter's scheme for the stimulation of a transition to democracy continued to have a mixed impact. The mediating factors of education and urbanisation enhanced the political awareness of Kuwaitis expressed through the National Assembly and Kuwaitis' persistence and constant demand for a share in political power. However, the 'rentier' economy as a mediating factor acted more as a barrier than as a stimulus to democratisation. Oil wealth supported the state's massive expenditure programs and the generous benefits granted to Kuwaiti citizens, despite the increasing pressure on the state to undertake economic reforms and the unsustainability of the state's extensive welfare philosophy. This suggest that the restructuring of the economic relation between state and society is a major challenge for Al Sabah as it requires the proper functioning of the National Assembly and a collaborative relation with the government that can facilitate and mediate this change. As seen from the discussion the top-down approach of the government in pursuing its economic reforms and austerity measures has been stalled for a long time due to lack of support from the National Assembly. At the same time the persistent attempt of Al Sabah to mollify the Assembly through the cycle of elections-suspension-elections accompanied by other measures of intimidation (imposing changes in the laws, involvement of the Constitutional court etc.) have failed spectacularly in bringing political stability.

Divisive social divisions (urban/tribal, secular/religious, Sunni/Shi'i etc.) continued to be manipulated in order to enhance and maintain the authority of Al Sabah,

preventing the emergence, of a “national identity” that assists in redrawing the social boundaries and creating new political arrangement that facilitates democratisation. Having said that, Kuwait, during this period, witnessed the consolidation of new political forces that are mobilising and acting to challenge the parameters of the old political arrangements and challenging Al Sabah and the state directly through rallies, demonstrations and social media campaign. These new social elements: the youth, the younger educated generation of the tribes, in alliance with the reformist element in the National Assembly are a force that could bring about democracy from below, especially that none of these elements are seeking regime change but their constitutionally guaranteed political rights.

Lastly, in terms of transnational and international engagement, Kuwait’s two main significant influences come from USA and Saudi Arabia, whose concerns during this period have been skewed towards security issues (Bahrain, Yemen, and the wider political instability in Syria, Iraq and Libya). This meant that the previous emphasis of the U.S. on encouraging the democratic process has waned while Saudi Arabia has been pressuring Gulf States to ratify a common Defence and Security agreement and encouraging Kuwaiti rulers not to tolerate the opposition. In this sense Kuwait’s international engagement has been a hindrance to the process of democratisation.

The Al Sabah ruling family managed the political reform process in a systematic manner that ensured that no opposition group or civil society institution grew strong enough to challenge its autocratic rule and no institution is powerful enough or independent enough to threaten its rule. Thus, fragmented and segmented identities and political forces, instead of declining in importance, have been augmented as the only structures through which social and political groups can operate and interact with the state. This explains why Potter’s (1997) conditions seem to exist within a political environment that is not permitting these conditions to drive the process of democratisation or is it capable of eliminating them as influences pushing towards a more democratic process of government. And here lies the dichotomy between the democratic impulse of the Kuwaiti society and the authoritarian impulse of Al Sabah. Currently, the authoritarian impulse of Al Sabah showed itself capable, through its regime survival tactics and strategies, to continue to dominate and

maintain the preponderance of the state. Much depends on the ability of civil society and its institutions to push further for an expanded sphere of civil liberties and political freedoms in alliance with the reformist elements in the National Assembly.

## **APPENDIX (1) The Interviewees**

### **Referenced by name**

#### **Abdalmohsen Jamal**

Interview in his office at (Gulf University for Science and Technology), Mishref, Kuwait 11/1/2013.

- Ex-member of the National Assembly in the following assemblies: Ninth Assembly 1999-2003, Seventh Assembly 1992-1999, and Fifth Assembly 1981-1985.
- Associate Professor of International Relations at the Gulf University for Science and Technology, Kuwait.

- Writes articles for Kuwait's daily News Papers and wrote the book: "Political Opposition in Kuwait", Published in 2007.

### **Aseel Al Awadhi**

Interview at her office, Kuwait University, Kuwait city, Kaifan, 8/1/2013.

- Professor of philosophy, Kuwait University.
- Ex-member of the National Assembly. First female candidate that won a seat in the National Assembly elections of 2009. In addition, she participated in 2008 Elections but she lost. She participated in February 2012 elections but she lost. She boycotted the December 2012.

### **Dahim Al Qahtani**

Interview at Second Cup café, Kuwait City, 27/1/2013.

- Journalist in *Al Rai Al Am*, a Kuwaiti daily newspaper.
- Social media blogger and a political activist.
- Reporter for Al Jazeera office in Kuwait.

### **Hassan Joher**

Interview at his office, Kuwait University, Al Shuwaikh, Kuwait City, 12/2/2013.

- Professor of Political Science, College of social science, Kuwait University.
- Ex-member of the National Assembly in the Thirteenth 2009-2012, Twelfth 2008-2009, Eleventh Assembly 2006-2008, Tenth 2003-2006, Ninth National Assembly 1999-2003 and Eighth 1996-1999.

### **Hamed Al Abdullah**

Interview at his office, Kuwait University, Al Shuwaikh, Kuwait City 18/2/2013.

- Assistant Professor of Political Sciences- College of Social Science, Kuwait University.
- Former Assistant Dean - College of Social Sciences, Kuwait University.

### **Ibtehal Al Khateeb**

Interview CHI CHI Café, Marina Crescent, Salmiyah, Kuwait, 17/1/2013.

- Assistant Professor of English and Literature, Kuwait University.
- Vocal female activist in women's political rights campaign.
- A member of Group 29 Voluntary Group. "Group 29" is a voluntary group founded in 2012. It took the Article 29 of the Constitution as its slogan seeking to consolidate the concept of human rights in the society. The Article which states that "All Humans are equal in human dignity, and they are equal before the law in public rights and duties, without discrimination due to race or ethnic origin, language or religion."
- A writer of numerous articles in the liberal daily newspaper, *Al Qabas*.

### **Rana Al abdularazzaq**

Interview –at Star bucks, Kuwait 9/2/2013.

- Political activist and a member of the voluntary association, Group 29.
- Women's rights activists.
- A Hematologists at *Al Amiri* Hospital, Kuwait City.

### **Shafeeq Al Ghabra**

Interview at Star Bucks, Palm Beach Resort, Salwa Kuwait, 15/2/2013.

- Professor of Political Science, Kuwait University.
- Former President of the American University of Kuwait (2003-2006).
- Directed the Centre of Strategic and Future Studies.
- Author of many books and numerous articles. His books include *Palestinians in Kuwait: The Family and the Politics of Survival*, a study of the dynamics of state and society, published in 1989.
- He received Kuwait's highest award for scientific research in the humanities and social sciences from the Kuwait Foundation for the Advancement of Sciences.

### **Funais Al Ajmi**



Interview at his office in The Public Authority for Applied Education and Training, PAAET, Al Shuwaikh, Kuwait City, 20/1/2013.

- A consultant for Kuwait's Labours Union and civil society activist.
- An Employee of (PAAET).

### **Lama Al Othman**

Interview at Starbucks, Kuwait City, 5/2/2013.

- Journalists in *Al Jaridah* liberal daily newspaper, Social media blogger and political activist.
- Member of the youth Orange Movement.

### **Mohammad Al Yousifi**

Interview at his office in Esa Hussain Al Yousifi Son's and Co., Kuwait City, Al Shuwaikh 24/1/2013.

- Political activist, member of the youth Orange Movement 2006, active social media blogger.
- Wrote the books: "Kuwait Form Establishment to Independence", "Kuwait Form Constitution to Liberation" and "Kuwait Form Liberation to Imbalance". (2013) Beirut: Arabic Press for Research and Publication.
- Writer at *Al Qabas* newspaper.

## **The Anonymous Interviewees**

**Interviewee Number (1)** Ex –member of the National Assembly, at his office, Kuwait City, 14/2/2013.

**Interviewee Number (2)** Ex –member of the National Assembly, at his office, Kuwait City, 1/4/2013.

**Interviewee Number (3)** Ex –member of the National Assembly, at his office Kuwait, Khaldiyyah 2/4/2013.

**Interviewee Number (4)** member of the National Assembly, Starbucks, Kuwait City, Salwa, 8/4/013.

**Interviewee Number (5)** Ex-member of the National Assembly, at his office, Kuwait City, Al Jabriyahat, 13/4/2013.

**Interviewee Number (6)** Ex-Minister, Legarden café, Kuwait City, Al Sha'ab Al Bahri, 7/2/2013

**Interviewee Number (7)** Member of Civil Society Organisation, Star Bucks, Kuwait, Mishref, 16/4/2013.

**Interviewee Number (8)** Blogger and political activist, at his office, Kuwait City, 4/3/2013.

**Interviewee Number (9)** Member of an Islamist political bloc, at his office, Salmiyah, Kuwait, 15/4/2013.

**Interviewee Number (10)** Member of a secular and liberal political bloc, at his office, Al Shuwaikh, Kuwait, 1/3/2013.

**Interviewee Number (11)** A lecturer at Kuwait University, Costa Cafe, Kuwait, 27/4/2013.

**Interviewee Number (12)** A blogger and a political activist, Costa coffee shop Al Jabriyah, Kuwait, City, 17/3/ 2013.

**Interviewee Number (13)** A lecturer at Kuwait University, at his office, Al Khaldiyyah, Kuwait City, 7/4/2013.

## APPENDIX (2) History of the National Assembly (1963-2015)

<i>Years</i>	<i>Legislative Term</i>	<i>Speaker of the Assembly</i>	<i>Dissolved</i>	<i>Number of Electoral Districts</i>	<i>Number of Votes per Citizen</i>
1963-1967	1st	Sa'ud A. al-'Abd al-Razaq	No	10	5
1967-1970	2nd	Ahmad Z. al- Sarhan	No	10	5
1971-1975	3rd	Khalid S. al- Ghanim	No	10	5

1976-1981	4 <sup>th</sup>	Khalid S. al-Ghanim	Yes	10	5
1981-1985	5 <sup>th</sup>	Muhammad Y. al-'Adsani	No	25	2
1985-1986	6 <sup>th</sup>	Ahmad A. al-Sa'dun	Yes	25	5
1992-1996	7 <sup>th</sup>	Ahmad A. al-Sa'dun	No	25	2
1996-1999	8 <sup>th</sup>	Ahmad A. al-Sa'dun	No	25	2
1999-2003	9 <sup>th</sup>	Jasim M. al-Kharafi	Yes	25	2
2003-2006	10 <sup>th</sup>	Jasim M. al-Kharafi	Yes	25	2
2003-2006	11 <sup>th</sup>	Jasim M. al-Kharafi	Yes	25	2
2006-2008	12 <sup>th</sup>	Jasim M. al-Kharafi	Yes	25	2
2008-2009	13 <sup>th</sup>	Jasim M. al-Kharafi	Yes	25	2
2009-2011	NA	Jasim M. al-Kharafi	Yes	5	4
February 2012	NA	Marzuq A. al-Ghanim	Annulled by the Constitutional Court	5	4
December 2012-June 2013	NA	Marzuq A. al-Ghanim	Annulled by the Constitutional Court	5	1

Source: Compiled by the author:(KNA, 2016)

### APPENDIX (3)

#### History of Women in the National Assembly 2006-2016

<i>The legislative Term</i>	<i>Number of Women Candidates</i>	<i>Number of Women Elected</i>	<i>MPs Elected</i>
The Eleventh National Assembly 2006-2008	28	0	0
The Twelfth National Assembly 2008-2009	27	0	0
The Thirteenth National Assembly 2009-2011	16	4	Dr Masouma Al Mubarak,  Dr Rola Dashti,

			Dr Salwa Al Jassar,  Dr Aseel Al Awadhi.
The First Annulled National Assembly February 2012 – June 2012	23	0	0
The Second Annulled National Assembly 1st Dec 2012 - June 2013	15	3	Dr Masouma Al Mubarak,  Safa Al Hashim ,  Thekra Al Rashidy.
The 14th National Assembly 2013 -2016	8	1	Safaa Al Hashim (She Resigned in )
The 13th National Assembly November 2016-present	14	1	Safaa Al Hashim

Source: Compiled by the Author.

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